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**1992**

# ***Illinois Register***

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**Rules of Governmental Agencies**

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Secretary of State



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## INTRODUCTION

The Illinois Register is the official state document for publishing public notice of rulemaking activity by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. Rulemaking activity consists of proposed or adopted new rules or amendments to or repealers of existing rules, including those by emergency or peremptory action.

The *Register* also contains Executive Orders and Proclamations issued by the Governor, notices of public information required by State statute, and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies. In addition, the *Register* contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current *Register* volume and a Sections Affected Index listing, by Title of the *Illinois Administrative Code*, each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume. Both indices are action coded and are designed to aid the public in monitoring rules.

The *Register* will serve as the update to the *Illinois Administrative Code*, a compilation of the rules of State agencies. The most recent edition of the *Code* along with the *Register* comprise the most current accounting of the State agencies' rules.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, pars. 1001 et seq., as amended).

## REGISTER PUBLICATION SCHEDULE 1992

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Dec. 24, 1991	Dec. 31, 1991	2	Jan. 10, 1992	June 30, 1992	July 7, 1992	29	July 17, 1992
Dec. 31, 1991	Jan. 7, 1992	3	Jan. 17, 1992	July 7, 1992	July 14, 1992	30	July 24, 1992
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Apr. 28, 1992	May 5, 1992	20	May 15, 1992	Nov. 2, 1992 (Mon)	Nov. 10, 1992	47	Nov. 20, 1992
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May 12, 1992	May 19, 1992	22	May 29, 1992	Nov. 17, 1992	Nov. 24, 1992	49	Dec. 4, 1992
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May 26, 1992	June 2, 1992	24	June 12, 1992	Dec. 1, 1992	Dec. 8, 1992	51	Dec. 18, 1992
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June 16, 1992	June 23, 1992	27	July 6, 1992 (Mon)	Dec. 22, 1992	Dec. 29, 1992	2	Jan. 8, 1993

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).



## COMMISSIONER OF BANKS AND TRUST COMPANIES

## NOTICE OF PROPOSED AMENDMENT

- 1) The Heading of the Part: Electronic Fund Transfers
- 2) Code Citation: 38 Ill. Adm. Code 310
- 3) Section Numbers: Proposed Action:  
310.710 Repeal
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 17, par. 1324
- 5) A Complete Description of the Subjects and Issues Involved: Section 8-100 of the Electronic Fund Transfer Transmission Facility Act, Ill. Rev. Stat. 1991, ch. 17, par. 1337, requires that a notice of the establishment of a point-of-sale terminal be filed with the Commissioner detailing the location and identification of the person establishing the terminal. Part 310.710 was adopted in 1984 and amended in 1988 to specify the contents of such notice and to require 45 days prior notification. It has since been determined that the notice requirements of Section 8-100 of the Act are satisfied with the quarterly and annual reports that funds transfer corporations and proprietary networks are required to file with the Commissioner. Therefore, Part 310.710 creates an unnecessary regulatory burden and is no longer deemed necessary by the Commissioner. The proposed amendment will eliminate the unnecessary and excessive filings that would be required under the present regulation and permit the efficient placement of debit point-of-sale terminals throughout this state.
- 6) Will this proposed amendment replace an emergency amendment currently in effect?: Yes.
- 7) Does this rulemaking contain an automatic repeal date? Yes ☒ No ☐
- 8) Does this proposed amendment contain incorporation by reference? No.
- 9) Are there any proposed amendments to this Part pending? No.
- 10) Statement of Statewide Policy Objectives: The proposed amendment does not create a mandate on units of local government, school districts or community college

## COMMISSIONER OF BANKS AND TRUST COMPANIES

## NOTICE OF PROPOSED AMENDMENT

- districts. Only persons who establish point-of-sale terminals are subject to this amendment.
- 11) Time, place, and manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit their comments in writing no later than 45 days after publication of this notice to:
 

Name: Bruce J. Baker, General Counsel  
Address: Commissioner of Banks and Trust Companies  
310 S. Michigan Avenue  
Suite 2130  
Chicago, Illinois 60604  
Telephone: (312) 793-2043
  - 12) Initial Regulatory Flexibility Analysis:
    - A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: This proposed amendment was not submitted to the Business Assistance Office of the Department of Commerce and Community Affairs.
    - B) Types of small businesses affected: Small businesses are not affected by this rule.
    - C) Reporting, bookkeeping or other procedures required for compliance: N/A
    - D) Types of professional skills necessary for compliance: N/A

The full text of the proposed amendment is identical to the emergency amendment published in this Issue of the Illinois Register on page 10355.



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Marking, Inventory, Transfer and Disposal of State-Owned Personal Property

2) Code Citation: 44 Ill. Adm. Code 5010

3) Section number: Proposed Action:

5010.240 Amendment  
5010.710 Amendment  
5010.780 Amendment  
5010.1160 Amendment  
5010.1300 Amendment  
5010.1410 New Section

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 127, par. 133b9.

5) A Complete Description of the Subjects and Issues Involved:

Amendments change the manner of disposing of antiques and make other technical changes. The new section allows universities to transfer property purchased with grant money and other non-appropriated funds when a researcher moves to a new university.

6) Will these proposed amendments replace an emergency rule currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Do these proposed amendments contain incorporations by reference? No.

9) Are there any other proposed amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives: Portions of rulemaking which affect local government are designed to make purchase of surplus property easier. The new section will allow the transfer of property under guidelines without an exemption approved by CMS for those transactions.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments within 45 days of the date of publication to:

John M. Peters  
710 Stratton Office Building  
Springfield, IL 62706  
(217)784-4444

12) Initial Regulatory Flexibility Analysis: Does not apply to small businesses.

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENTS

The full text of the Proposed Amendments begins on the next page.



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENTS

## TITLE 44: GOVERNMENT CONTRACTS, PROCUREMENT AND PROPERTY MANAGEMENT

## SUBTITLE D: PROPERTY MANAGEMENT

## CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## PART 5010

## MARKING, INVENTORY, TRANSFER AND DISPOSAL OF STATE-OWNED PERSONAL PROPERTY

## SUBPART A: GENERAL

Section  
5010.100 Authority  
5010.110 Policy  
5010.120 Applicability

## SUBPART B: MARKING AND INVENTORY OF STATE PROPERTY

Section  
5010.200 Definition of Equipment  
5010.210 Marking of State-Owned Equipment  
5010.220 Inventory of Equipment  
5010.230 Required Entries on Inventory Records  
5010.240 Definition of Required Entries  
5010.250 Demolition  
5010.260 Cannibalization

## SUBPART C: PROPERTY REPORTING SYSTEM

Section  
5010.300 Property Change Report (Repealed)  
5010.310 Transaction Codes  
5010.320 Vehicle Reporting

## SUBPART D: INVENTORY REQUIREMENTS

Section  
5010.400 Equipment Inventory Reporting  
5010.410 Types of Inventory  
5010.420 Report of Equipment Acquired Through Central Management Services (Repealed)  
5010.430 Report of Equipment not Acquired through Central Management Services (Repealed)  
5010.435 Report of Equipment Acquisitions (Repealed)  
5010.435 Report of Equipment Purchased on the Installment Plan  
5010.440 Fund Codes used on Agency Report of Acquired New Properties and Additions Form  
5010.450 Monthly Inventory (Repealed)  
5010.460 Annual Inventory  
5010.470 Reporting "On Location" Equipment for Annual Inventory Report

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENTS

Reporting U.S. Property on Annual Inventory  
Inventories of Facilities Scheduled for Closure  
Discrepancies  
Evidence of Theft Found During Annual Inventory  
Property Control Information Processed on Magnetic Tape  
Access to Automated Property Control Systems

## SUBPART E: TRANSFERABLE EQUIPMENT

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5010.600 Definition of Transferable Equipment  
5010.610 Disposal of Transferable Equipment  
5010.620 Report of Transferable Equipment  
5010.630 Moving and Storage of Transferable Equipment  
5010.640 Agency Requests for Transferable Equipment  
5010.650 Holding Time for Transferable Equipment  
5010.660 Sale of Transferable Equipment  
5010.670 Sale of Transferable Equipment to Municipalities or Units of Local Government, Illinois School Districts, and Not-for-Profit Educational, Charitable and Public Health Organizations  
Trade-Ins  
Trade-In Procedure  
Exceptions to Trade-In Procedure  
Determination of Appraised Value  
Notice of Sales of Transferable Equipment  
Terms of Sales to Municipalities and Units of Local Government in Illinois, Illinois School Districts, and Not-for-Profit Educational, Charitable and Public Health Organizations  
Public Sale of Transferable Equipment  
Method of Sale  
Frequency of Sales  
Notice of Public Sales  
Terms of Public Sale  
Alternative Methods of Sale  
Proceeds of Sales of Transferable Equipment

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5010.900 Scrapping of State-Owned Equipment  
5010.910 Criteria for Scrapping  
5010.920 Permission to Scrap  
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5010.940 Method of Disposal  
5010.950 Sale of Scrap  
5010.960 Authorization to Sell Scrap  
5010.970 Notice of Sale  
5010.980 Terms of Sales  
5010.990 Payment for Scrap by Bidder



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENTS

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5010.1000  
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Assistance in Sales  
Proceeds of Sale of Scrap

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Disposal of State-Owned Vehicles  
Vehicles to be Turned Over to the Property Control Division  
Turning in Operable Vehicles  
Transfer of Operable Vehicles to State Agencies  
Sale of Vehicles  
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Request for Disposal of Inoperable Vehicles  
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Property Value

## SUBPART J: EXEMPTIONS

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Request for Exemption  
Transfer of Property Purchased with Non-Appropriated Funds for Research at State Universities

## SUBPART K: DISPOSITION OF LABORATORY EQUIPMENT

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5010.1510

Listing of Laboratory Equipment  
Proceeds from Sales of Laboratory Equipment

## SUBPART L: DISPOSITION OF HAZARDOUS MATERIAL

Section  
5010.1600

Disposal of Hazardous Material

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENTS

AUTHORITY: Implementing and authorized by Sections 67.15 and 67.22 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, pars. 63b13.15 and 63b13.22) and Sections 1 through 7, 8, and 9 of The State Property Control Act (Ill. Rev. Stat. 1991, ch. 127, pars. 133b1-133b10, 133b11 and 133b12).

SOURCE: Adopted at 7 Ill. Reg. 9170, effective June 22, 1983; codified at 8 Ill. Reg. 17254; emergency amendment at 11 Ill. Reg. 2909, effective January 29, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 10671, effective June 14, 1988; emergency amendment at 14 Ill. Reg. 8714, effective May 15, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 15775, effective September 17, 1990; amended at 16 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 5010.240 Definition of Required Entries

## a) Identification Number

The identification number required for inventory records is the six digit number previously submitted to CMS, or another numbering format compatible with the format used by CMS, marked on all items of State equipment.

## b) Location Code Numbers

- 1) At least one location code is assigned to each State agency. Agencies must use the proper location code for reporting the location of equipment.
  - 2) Location codes shall consist of a ten digit number divided into three groups of digits separated by dashes. Example: 35001-001-02.
    - A) The first digit group (35001) shall be the same as the appropriation number assigned to the reporting agency by the Comptroller.
    - B) The next two groups (001) (02) shall be assigned by the reporting agency as required by the recording system. Such system shall be subject to the review and approval of the Property Control Division based on the total number of items and types of equipment in a location code.
- c) Description of Equipment
- 1) The inventory description of equipment shall be as brief as possible, and shall not exceed a maximum of forty-one (41) characters (including spaces between words). If an object has a serial number, the serial number must be listed.



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENTS

- 2) The inventory description shall be written in the following form: principal name of the property, necessary descriptive words and-or measurements, serial number. (Example: Desk, executive, steel, gray, 30" x 58"; typewriter, IBM, #48-307-582)
- 3) If the equipment is at least 40 years old and has historic value or is of special interest culturally, scientifically or otherwise, the inventory description shall note that the property in question is antique.
- d) Date of Purchase
  - 1) The date of purchase of equipment shall be designated on inventory records by a four digit number. (Example: January 1975-0175, only the month and year need be reported.)
  - 2) When the date of purchase is unknown, agencies shall report the number 9950.

## e) Purchase Price

- 1) Agencies must report the purchase price of equipment inventoried. The purchase price is the price of the equipment delivered and installed, including delivery and installation costs, if any.
- 2) If equipment is acquired by trade-in, the value of any items traded in shall not be used to reduce the purchase price.
- 3) If equipment is acquired by gift or any other means other than by purchase, the value of the equipment shall be reported as its purchase price.

## f) Object Code

- 1) All equipment must have the object codes recorded on inventory reports.
- 2) The object code is a four digit number which is the same number as entered on line 18, expenditure object code, on the invoice voucher form. Object codes are also listed in Section 11 of the Comptroller's Uniform Statewide Accounting System (CUSAS) Manual.

## g) Voucher number

- 1) The voucher number is the number assigned by the reporting agency to the invoice voucher used to acquire the equipment being reported. If the equipment was not acquired by an invoice voucher, or if the voucher number is not known, indicate all

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENTS

zeros. If the equipment was acquired as a gift, state "gift".  
(Source: Amended at 16 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 5010.710 Determination of Appraised Value

- a) If the original purchase price of the equipment (excluding motor vehicles) was \$10,000 or more, the appraised value for purposes of a sale to local governments in Illinois, Illinois school districts, and not-for-profit educational, charitable and public health organizations shall be determined by a qualified appraiser. For equipment commonly available in the market place, one who deals with equipment of that kind shall be deemed to be a qualified appraiser. For other types of equipment, the appraiser's qualification shall be evaluated in conformation with prevailing industry standards or practices.
- b) If the equipment had an original purchase price of less than \$10,000, the appraised price for a sale to local government in Illinois, Illinois school districts, and not-for-profit educational, charitable and public health organizations shall be set at a minimum of:
  - 1) 25% 15% of the initial purchase price if the equipment is in good condition and less than five years old;
  - 2) 15% 10% of the initial purchase price if the equipment is five or more years old; or
  - 3) a realistic market price if the equipment is in extremely poor less than average condition, has little value, or the original acquisition cost is unobtainable.
- c) For motor vehicles, the appraised value for a sale to a local government in Illinois, Illinois school districts, and not-for-profit educational, charitable and public health organizations shall be set at a minimum of:
  - 1) 25% 15% of the initial purchase price if the vehicle is in good condition and less than five years old;
  - 2) 15% 10% of the initial purchase price if the vehicle is five or more years old or not in good condition.
  - 3) Appraisal of condition will be made using standard industry practice.
- d) Scrap metal shall be priced at its cash market price at the time of sale.



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 16 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 5010.780 Terms of Public Sale

- a) The State reserves the right to refuse any or all bids.
- b) The State reserves the right to waive informalities in bidding.
- c) All equipment is sold "as is", "where is". The State specifically withholds any and all implied or express warranties on any equipment sold. No refunds will be granted on equipment or vehicle sales.
- d) All sales at auctions shall be made on a cash basis.
  - 1) Payment shall be made by cash, check or money order payable to ~~Department-of-Central-Management-Services,-Property-General~~ Bivisten the Surplus Property Revolving Fund.
  - 2) Payment shall be made immediately after the sale, except in the case of sale of scrap by weight. In that case, payment is to be made as soon as practical after receiving a weight ticket for scrap.
- e) Such sales shall be conducted in accordance with the rules for bidding set forth in the CMS Procurement Rules (44 Ill. Adm. Code 1).

(Source: Amended at 16 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 5010.1160 Request for Disposal of Inoperable Vehicles

- a) Agencies wishing to dispose of inoperable vehicles shall contact the Division of Vehicles and request that the vehicles be disposed of.
- b) An agency's request for disposal shall include:
  - 1) Make of vehicle,
  - 2) year,
  - 3) VIN number (Vehicle Identification Number),
  - 4) State property identification number,
  - 5) Location vehicle is stored at,
  - 6) name of person at storage location to contact for inspection of vehicles, and
  - 7) completed Vehicle Acquisition and Change Report form.

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENTS

- c) Once an agency requests that an inoperable vehicle be disposed of, the agency shall not utilize the vehicle for parts, transportation or in any other manner.
- d) The Property Control Division shall be responsible for the on-site disposal of vehicles.
  - 1) On receipt of a request to dispose of an inoperable vehicle(s), Property Control Division shall:
    - A) Remove the vehicle to be held for sale, or
    - B) conduct an "on-site" sale of the vehicle.
  - 2) This determination shall be based on the expense of removing the vehicle and other practical considerations.
- e) All vehicles will remain the responsibility of the holding agency until sold.

(Source: Amended at 16 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART I: ANTIQUE, HISTORICAL AND SPECIAL INTEREST PROPERTY

## Section 5010.1300 Property Value

- a) Personal property which is at least forty years old, which has historic value, or which is of special interest, culturally, scientifically or otherwise, is exempt from the normal methods of disposal described in the State Property Control Act and in these Rules.
- b) The Director of the Department of Central Management Services shall determine the final disposition for antiques and historical or special interest property.
  - 1) When the Director of CMS ensures that the criteria in Section 5010.1300(a) are met, the following procedure for disposal shall be used:
    - A) The Director shall attempt to loan or donate such property to public museums or galleries.
    - B) Right of first-refusal shall be vested in the Illinois State Museum and then to any other public museum or publicly owned historical site in Illinois. If no museum in Illinois desires the property, federal museums and historical sites will be given the opportunity to claim the property.



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENTS

- C) Any display of such property shall acknowledge the State's role in the loan or donation.
- D) The property shall not later be sold or transferred by the holding entity. Such action will allow the State to immediately reclaim the property.
- E) Should no entity wish to receive the property, the Director will dispose at auction by negotiated sale. Minimum price shall be the property's appraised value.

- 2) The Director's choice shall be based on the type of property, the geographical location of the institution requesting the property, and the institution's ability to display the property.

(Source: Amended at Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 5010.1410 Transfer of Property Purchased with Non-appropriated Funds for Research at State Universities.

- a) Property purchased with non-appropriated funds obtained from the sponsor of the researcher, shall be exempt from State Property Control procedures when transferred from a State university to another university if all the following conditions are met:

- a) The property is equipment which was used at a State university for sponsored research.
- b) The equipment was purchased with non-appropriated funds obtained from the sponsor of the research.
- c) The funds were paid by the sponsor for the purpose of facilitating research by an identified principal investigator or faculty member employed by the State university.
- d) The employment of the principal investigator or faculty member at the State university has been terminated and that individual's research is to continue at another not-for-profit university.
- e) The responsible officer of the State university (or the designee of the responsible officer) has determined that (1) the equipment is needed in the continuation of the individual's research and (2) the other university is willing to accept responsibility for the equipment.

- b) The State university transferring such property shall be responsible for all records pertaining to the property and its transfer to another university.

(Source: Added at 16 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

- 1) HEADING OF THE PART: White-Tailed Deer Hunting Season by Use of Handguns

- 2) CODE CITATION: 17 Ill. Adm. Code 680

- 3) SECTION NUMBERS:

680.10 Amendments  
680.20 Amendments  
680.60 Amendments  
680.70 Amendments  
680.80 New Section

PROPOSED ACTION:

- 4) STATUTORY AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code (Ill. Rev. Stat. 1991, ch. 61, pars. 1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36).

- 5) A COMPLETE DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED: Amendments to this Part include clarification of legal check station that can be used to check in a handgun harvested deer; clarification of tagging process that must be followed by successful handgun hunters and adding a new Section on Regulations at Department-Owned or -Managed Sites.

- 6) WILL THIS PROPOSED RULE REPLACE AN EMERGENCY RULE CURRENTLY IN EFFECT? No

- 7) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

- 8) DO THESE PROPOSED AMENDMENTS CONTAIN INCORPORATIONS BY REFERENCE? No

- 9) ARE THERE ANY OTHER PROPOSED AMENDMENTS PENDING ON THIS PART? No

- 10) STATEMENT OF STATEWIDE POLICY OBJECTIVES: This rule has no impact on local governments.

- 11) TIME, PLACE AND MANNER IN WHICH INTERESTED PERSONS MAY COMMENT ON THIS PROPOSED RULEMAKING: Comments on the proposed rule may be submitted in writing for a period of 30 days following publication of this notice to:

Don Woods  
Department of Conservation  
524 S. Second Street, Room 485  
Springfield, IL 62701-1787



## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

12) INITIAL REGULATORY FLEXIBILITY ANALYSIS: Not applicableTHE FULL TEXT OF THE PROPOSED AMENDMENTS BEGINS ON THE NEXT PAGE:

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION  
CHAPTER 1: DEPARTMENT OF CONSERVATION  
SUBCHAPTER b: FISH AND WILDLIFE

## PART 680

## WHITE-TAILED DEER HUNTING SEASON BY USE OF HANDGUNS

## Section

680.10      Statewide Season

680.20      Statewide Deer Permit Requirements

680.30      Deer Permit Requirements - Group Hunt

680.40      Statewide Handgun Requirements for Deer Hunting

680.50      Statewide Deer Hunting Rules

680.60      Reporting Harvest

680.70      Rejection of Application/Revocation of Permits

680.80      Regulations at Various Department-Owned or -Managed Sites

**AUTHORITY:** Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code (Ill. Rev. Stat. ~~1991~~1991, ch. 61, pars. 1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36).

**SOURCE:** Adopted at 15 Ill. Reg. 13353, effective September 3, 1991; amended at 16 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 680.10      Statewide Season

- a) Season: One-half hour before sunrise on Friday of the third 3-day weekend (Friday, Saturday, Sunday) in January to sunset on Sunday of this 3-day weekend in January. Shooting hours are one-half hour before sunrise to sunset.

- b) For the purpose of removing surplus deer, the Department of Conservation (Department) shall open select counties to handgun deer hunting. The Department shall notify the public of the counties that are projected to have surplus deer populations via a news release. These counties also will be listed in the instructions contained with the ~~1992~~1993 Handgun Deer Permit Application.

(Source: Amended at 16 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)

## Section 680.20      Statewide Deer Permit Requirements

- a) Illinois resident hunters must have a current, valid "Handgun Deer Permit" (\$15.00) and must be 18 years of



## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

age or older by the opening date of the handgun deer season applied for. A permit is issued for one county and is valid only in the county stated on the permit. For permit applications and other information write to:

Department of Conservation  
(Handgun Deer Season)  
Deer Permit Office  
524 South Second Street, Room 210  
Post Office Box 19227  
Springfield, IL 62794-9227

b) Applications shall be accepted from November 1 through November 30 for the 1992-1993 Handgun Deer Season in January. Applications post-marked after November 30 shall not be included in the drawing. Permits shall be allocated in a random drawing. Applicants shall apply for only one county. Permits not correctly filled out shall be rejected from the random drawing. Permits shall be issued as antlerless-only.

c) In-person and mail-in applications shall receive equal treatment in the drawings.

d) Applicants must complete all portions of the Handgun Deer Permit Application form. No more than 6 single applications per envelope shall be accepted. Each applicant must submit a separate personal check or money order. Separate envelopes must be used to send permit applications to the Deer Permit Office for regular firearm, muzzleloading rifle, handgun, archery, and free or paid landowner/tenant permits.

e) Each applicant must apply using the official agency Handgun Deer Permit Application.

f) For the applicant to be eligible to receive a Handgun Deer Permit (\$15.00), he must be an Illinois resident, at least 18 years of age by the opening date of the handgun deer season, hold a valid firearm owner's identification card and not have had his deer hunting privileges suspended or revoked in this State pursuant to Section 3.36 of the Wildlife Code (Ill. Rev. Stat. 1989-1991, ch. 61, par. 3.36).

g) Applications shall be accepted at the counter window of the permit office; however, permits shall be mailed.

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h) Permits are not transferable. Refunds shall not be granted unless the Department has erroneously issued the permit after the quota has been depleted or where the applicant was unsuccessful in obtaining a permit.

i) A three dollar (\$3.00) service fee shall be charged for replacement permits issued by the Department, except when permits are lost in the mail, then there shall be no charge. Monies derived from this source shall be deposited in the Wildlife and Fish Fund.

j) Each applicant must enclose a separate \$15.00 (check or money order) payable to the Department of Conservation, or the application shall be returned. Applicants should not send cash with their applications. The Department shall not be responsible for cash sent through the mail.

(Source: Amended at 16 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 680.60 Reporting Harvest

a) Within 48 hours of taking a deer by handgun the hunter must check the deer in at a county handgun deer check station. Deer shall be checked in by the hunter in person within 48 hours of taking a deer by handgun at the county handgun deer check station in the county for which the permit was issued or in an adjoining county.

b) Failure to follow this Section constitutes illegal possession of deer.

(Source: Amended at 16 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 680.70 Rejection of Application/Revocation of Permits

a) Any of the following shall result in rejection of an application in the event that an applicant is in violation of one of the following paragraphs, the application shall be held in suspension, and the application fees shall be deposited, pending a determination by the permit office of whether or not the violation was knowing. If the permit office determines the violation was knowing, the application shall be rejected and the fee shall be retained by Conservation. The applicant may request a hearing on this decision pursuant to 17 Ill. Adm. Code 2530. Should the permit



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office determine that the violation was without the knowledge of the applicant, improper applications will be rejected and the fee retained by Conservation and proper applications shall be processed.

- 1) Submitting more than one application in the same name or by the same person for a Handgun Deer Permit than the number of legally authorized permits. ~~This shall also result in the forfeiture of application fees submitted.~~
- 2) Providing false and/or deceptive information on the deer permit application form.
- 3) Submitting an application when the applicant has a license or permit currently revoked pursuant to Section 3.36 of the Wildlife Code (Ill. Rev. Stat. 1991, ch. 61, par. 3.36).
- 4) Submitting an incomplete or incorrect application.

- b) Any violation of Section 1.1, et seq., of the Wildlife Code or administrative rules of the Department, in addition to other penalties, may result in revocation of hunting licenses and permits as per 17 Ill. Adm. Code 2530.

(Source: Amended at 16 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 680.80 Regulations at Various Department-Owned or Managed Sites

The sites listed in this Section will be opened to handgun deer hunting only if the county in which they are located is opened to handgun deer hunting.

- a) Statewide regulations shall apply except that hunting will be allocated by permit only. Permits will be allocated by a drawing held at 6:00 a.m. at the site check station.

Taplev Woods

- b) Statewide regulations shall apply. Hunters must check in and check out and report harvest. Regulations concerning the use of tree stands as defined in 17 Ill. Adm. Code 650.60(b)(1) and (2) apply during the handgun

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deer season at this site.

- Cache River State Natural Area
- Crawford County Conservation Area
- Pyramid State Park

- c) Statewide Regulations shall apply at the following sites:

- Turkey Bluffs Fish and Wildlife Area
- Mississippi River Pools 21, 22, 24, 25, 26 (only that portion of the river pool in the county for which the permit is issued is open)

- d) Statewide Regulations shall apply. Hunters must check in and check out and report harvest. Only Zone B is open to hunting.

Pike County Conservation Area

(Source: Added at 16 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Medical Payment
- 2) Code Citation: 89 Ill. Adm. Code 140
- 3) Section Numbers:                      Proposed Action:  
     140.420                                  Amendment  
     140.421                                  Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, par. 12-13)
- 5) Complete Description of the Subjects and Issues Involved: These proposed amendments are required to implement the Department's necessary budget reductions for Fiscal Year 1993. The amendments eliminate payments by the Department for dental services for adults. Such dental services are not federally mandated. The Department will continue to provide reimbursement for dental services as described in Section 140.420 and 140.421, for children up to the age of 21.
- The Department estimates the budget reductions from the elimination of payments for dental services for adults at approximately \$13.25 million. Based on legislative action on the Department's budget and the timing of necessary budget reductions, it may be necessary to adopt these proposed amendments on an emergency basis.

- 6) Will these proposed amendments replace emergency amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes

Sections	Proposed Action	Illinois Register Citation
140.2	Amendment	May 1, 1992 (16 Ill. Reg. 6936)
140.13	Amendment	March 27, 1992 (16 Ill. Reg. 4708)
140.14	Amendment	March 27, 1992 (16 Ill. Reg. 4708)
140.15	Amendment	May 22, 1992 (16 Ill. Reg. 7775)
140.16	Amendment	March 27, 1992 (16 Ill. Reg. 4708)
140.16	Amendment	May 29, 1992 (16 Ill. Reg. 8047)
140.17	Amendment	May 29, 1992 (16 Ill. Reg. 8047)
140.19	Amendment	March 27, 1992 (16 Ill. Reg. 4708)
140.27	Amendment	January 3, 1992 (16 Ill. Reg. 65)

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140.31	New Section	March 27, 1992 (16 Ill. Reg. 4708)
140.32	New Section	March 27, 1992 (16 Ill. Reg. 4708)
140.33	New Section	March 27, 1992 (16 Ill. Reg. 4708)
140.413	Amendment	April 24, 1992 (16 Ill. Reg. 6719)
140.421	Amendment	May 15, 1992 (16 Ill. Reg. 7576)
140.526	Repeal	January 10, 1992 (16 Ill. Reg. 472)
140.527	Repeal	January 10, 1992 (16 Ill. Reg. 472)
140.528	Repeal	January 10, 1992 (16 Ill. Reg. 472)
140.529	Repeal	January 10, 1992 (16 Ill. Reg. 472)
140.539	Amendment	January 10, 1992 (16 Ill. Reg. 472)
140.543	Amendment	January 10, 1992 (16 Ill. Reg. 472)
140.565	Amendment	February 28, 1992 (16 Ill. Reg. 3045)
140.566	Amendment	January 24, 1992 (16 Ill. Reg. 1492)
140.579	New Section	March 27, 1992 (16 Ill. Reg. 4708)
140.600	New Section	March 6, 1992 (16 Ill. Reg. 3409)
140.602	New Section	January 10, 1992 (16 Ill. Reg. 472)
140.604	New Section	January 10, 1992 (16 Ill. Reg. 472)
140.608	New Section	January 10, 1992 (16 Ill. Reg. 472)
140.610	New Section	January 10, 1992 (16 Ill. Reg. 472)
140.612	New Section	January 10, 1992 (16 Ill. Reg. 472)
140.614	New Section	January 10, 1992 (16 Ill. Reg. 472)
140.700	Amendment	May 15, 1992 (16 Ill. Reg. 7576)

- 10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.

- 11) Time, Place, and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to Joanne Jones, Bureau of Rules and Regulations, Illinois Department of Public Aid, 100 South Grand Ave., 3rd Floor, Springfield, Illinois 62762. The Department will consider all written comments it receives within 30 days after the publication of this notice.

Interested parties can review the rules pertaining to these changes at the Department of Public Aid's local office located in each county, except in Cook County, where the rules can be reviewed at the Director's Office, 624 South Michigan Avenue, 13th Floor, Chicago, Illinois. The rules can be reviewed at all offices Monday through Friday, 8:30 a.m. until 5:00 p.m.

12) Initial Regulatory Flexibility Analysis:

- A) Date proposed rulemaking was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: June 8, 1992
- B) Types of small businesses affected: Dental Providers



## NOTICE OF PROPOSED AMENDMENTS

C) Reporting, bookkeeping or other procedures required for compliance:  
None

D) Types of professional skills necessary for compliance: None

The full text of the Proposed Amendments begins on the next page:

## NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES  
CHAPTER I: DEPARTMENT OF PUBLIC AID  
SUBCHAPTER d: MEDICAL PROGRAMS

PART 140  
MEDICAL PAYMENT

## SUBPART A: GENERAL PROVISIONS

## Section

140.1 Incorporation By Reference

140.2 Medical Assistance Programs

140.3

Covered Services Under The Medical Assistance Programs for AFDC, AFDC-MANG, AABD, AABD-MANG, RRP, Individuals Under Age 18 Not Eligible for AFDC, Pregnant Women Who Would Be Eligible if the Child Were Born and Pregnant Women and Children Under Age Eight Who Do Not Qualify As Mandatory Categorically Needy

140.4

Covered Medical Services Under AFDC-MANG for non-pregnant persons who are 18 years of age or older (Repealed)

140.5

Covered Medical Services Under GA

140.6

Medical Services Not Covered

140.7

Medical Assistance Provided to Individuals Under the Age of Eighteen Who Do Not Qualify for AFDC and Children Under Age Eight

140.8

Medical Assistance For Qualified Severely Impaired Individuals

140.9

Medical Assistance for a Pregnant Woman Who Would Not Be Categorically Eligible for AFDC/AFDC-MANG if the Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy

140.10

Medical Assistance Provided to Incarcerated Persons

## SUBPART B: MEDICAL PROVIDER PARTICIPATION/DRUG MANUAL

## Section

140.11 Enrollment Conditions for Medical Providers

140.12 Participation Requirements for Medical Providers

140.13 Definitions

Denial of Application to Participate in the Medical Assistance Program

140.14

Recovery of Money

140.15

Termination of a Vendor's Eligibility to Participate in the Medical Assistance Program

140.16

Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program

140.17

Effect of Termination on Individuals Associated with Vendor Application to Participate or for Reinstatement Subsequent to

140.18

Termination, Suspension or Barring

140.19

Submission of Claims

140.20



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140.21 Covered Medicaid Services for Qualified Medicare Beneficiaries (QMBs)  
140.22 Magnetic Tape Billings  
140.23 Payment of Claims  
140.24 Payment Procedures  
140.25 Overpayment or Underpayment of Claims  
140.26 Payment to Factors Prohibited  
140.27 Assignment of Vendor Payments  
140.28 Record Requirements for Medical Providers  
140.30 Audits  
140.35 False Reporting and Other Fraudulent Activities  
140.40 Prior Approval for Medical Services or Items  
140.41 Prior Approval in Cases of Emergency  
140.42 Limitation on Prior Approval  
140.43 Post Approval for Items or Services When Prior Approval Cannot Be Obtained  
140.71 Reimbursement for Medical Services Through the Use of a C-13  
140.72 Invoice Voucher Advance Payment and Expedited Payments  
140.73 Drug Manual Updates (Recodified)

SUBPART C: PROVIDER PARTICIPATION FEES

Section  
140.94 Medicaid Developmentally Disabled Provider Participation Fee Trust Fund/Medicaid Long Term Care Provider Participation Fee Trust Fund  
140.95 Hospital Services Trust Fund  
140.96 General Requirements (Recodified)  
140.97 Special Requirements (Recodified)  
140.98 Covered Hospital Services (Recodified)  
140.99 Hospital Services Not Covered (Recodified)  
140.100 Limitation on Hospital Services (Recodified)  
140.101 Transplants (Recodified)  
140.102 Heart Transplants (Recodified)  
140.103 Liver Transplants (Recodified)  
140.104 Bone Marrow Transplants (Recodified)  
140.110 Disproportionate Share Hospital Adjustments (Recodified)  
140.116 Payment for Inpatient Services for GA (Recodified)  
140.117 Hospital Outpatient and Clinic Services (Recodified)  
140.200 Payment for Hospital Services During Fiscal Year 1982 (Recodified)  
140.201 Payment for Hospital Services After June 30, 1982 (Repealed)  
140.202 Payment for Hospital Services During Fiscal Year 1983 (Recodified)  
140.203 Limits on Length of Stay by Diagnosis (Recodified)  
140.300 Payment for Pre-operative Days and Services Which Can Be Performed in an Outpatient Setting (Recodified)  
140.350 Copayments (Recodified)  
140.360 Payment Methodology (Recodified)

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140.361 Non-Participating Hospitals (Recodified)  
140.362 Pre July 1, 1989 Services (Recodified)  
140.363 Post June 30, 1989 Services (Recodified)  
140.364 Prepayment Review (Recodified)  
140.365 Base Year Costs (Recodified)  
140.366 Restructuring Adjustment (Recodified)  
140.367 Inflation Adjustment (Recodified)  
140.368 Volume Adjustment (Repealed)  
140.369 Groupings (Recodified)  
140.370 Rate Calculation (Recodified)  
140.371 Payment (Recodified)  
140.372 Review Procedure (Recodified)  
140.373 Utilization (Repealed)  
140.374 Alternatives (Recodified)  
140.375 Exemptions (Recodified)  
140.376 Utilization, Case-Mix and Discretionary Funds (Repealed)  
140.390 Subacute Alcoholism and Substance Abuse Services (Recodified)  
140.391 Definitions (Recodified)  
140.392 Types of Subacute Alcoholism and Substance Abuse Services (Recodified)  
140.394 Payment for Subacute Alcoholism and Substance Abuse Services (Recodified)  
140.396 Rate Appeals for Subacute Alcoholism and Substance Abuse Services (Recodified)  
140.398 Hearings (Recodified)

SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES

Section  
140.400 Payment to Practitioners, Nurses and Laboratories  
140.410 Physicians' Services  
140.411 Covered Services By Physicians  
140.412 Services Not Covered By Physicians  
140.413 Limitation on Physician Services  
140.414 Requirements for Prescriptions and Dispensing of Pharmacy Items - Physicians  
140.416 Optometric Services and Materials  
140.417 Limitations on Optometric Services  
140.418 Department of Corrections Laboratory  
140.420 Dental Services  
140.421 Limitations on Dental Services  
140.422 Requirements for Prescriptions and Dispensing of Pharmacy Items - Dentists  
140.425 Podiatry Services  
140.426 Limitations on Podiatry Services  
140.427 Requirement for Prescriptions and Dispensing of Pharmacy Items - Podiatry



140.428	Chiropractic Services
140.429	Limitations on Chiropractic Services (Repealed)
140.430	Independent Laboratory Services
140.431	Services Not Covered by Independent Laboratory
140.432	Limitations on Independent Laboratory Services
140.433	Payment for Laboratory Services
140.434	Record Requirements for Independent Laboratories
140.435	Nurse Services
140.436	Limitations on Nurse Services
140.440	Pharmacy Services
140.441	Pharmacy Services Not Covered
140.442	Prior Approval of Prescriptions
140.443	Filling of Prescriptions
140.444	Compounded Prescriptions
140.445	Prescription Items (Not Compounded)
140.446	Over-the-Counter Items
140.447	Reimbursement
140.448	Returned Pharmacy Items
140.449	Payment of Pharmacy Items
140.450	Record Requirements for Pharmacies
140.452	Mental Health Clinic Services
140.453	Definitions
140.454	Types of Mental Health Clinic Services
140.455	Payment for Mental Health Clinic Services
140.456	Hearings
140.457	Therapy Services
140.458	Prior Approval for Therapy Services
140.459	Payment for Therapy Services
140.460	Clinic Services
140.461	Clinic Participation Requirements (Emergency Expired)
140.462	Covered Services in Clinics (Emergency Expired)
140.463	Encounter Rate Clinic Payment (Emergency Expired)
140.464	Psychiatric Clinics (Hospital-based)
140.465	Speech and Hearing Clinics
140.466	Rural Health Clinics
140.467	Independent Clinics
140.469	Hospice
140.470	Home Health Services
140.471	Home Health Covered Services
140.472	Types of Home Health Services
140.473	Prior Approval for Home Health Services
140.474	Payment for Home Health Services
140.475	Medical Equipment, Supplies and Prosthetic Devices
140.476	Medical Equipment, Supplies and Prosthetic Devices for Which Payment Will Not Be Made
140.477	Limitations on Equipment, Supplies and Prosthetic Devices

140.478	Prior Approval for Medical Equipment, Supplies and Prosthetic Devices
140.479	Limitations, Medical Supplies
140.480	Equipment Rental Limitations
140.481	Payment for Medical Equipment, Supplies and Prosthetic Devices
140.482	Family Planning Services
140.483	Limitations on Family Planning Services
140.484	Payment for Family Planning Services
140.485	Healthy Kids Program
140.486	Limitations on Medichex Services (Repealed)
140.487	Healthy Kids Program Timeliness Standards
140.488	Periodicity Schedule, Immunizations and Diagnostic Laboratory Procedures
140.490	Medical Transportation
140.491	Limitations on Medical Transportation
140.492	Payment for Medical Transportation
140.495	Psychological Services
140.496	Payment for Psychological Services
140.497	Hearing Aids

SUBPART E: GROUP CARE

Section	Group Care Services
140.500	Cessation of Payment at Federal Direction
140.502	Cessation of Payment for Improper Level of Care
140.503	Cessation of Payment Because of Termination of Facility
140.504	Cessation of Payment Because of Threat To Life
140.505	Continuation of Payment Because of Threat To Life
140.506	Provider Voluntary Withdrawal
140.507	Continuation of Provider Agreement
140.510	Determination of Need for Group Care
140.511	Services Provided Without Charge
140.512	Utilization Control
140.513	Utilization Review Plan (Repealed)
140.514	Certifications and Recertifications of Care
140.515	Management of Recipient Funds--Personal Allowance Funds
140.516	Recipient Management of Funds
140.517	Correspondent Management of Funds
140.518	Facility Management of Funds
140.519	Use or Accumulation of Funds
140.520	Management of Recipient Funds--Local Office Responsibility
140.522	Room and Board Accounts
140.522	Reconciliation of Recipient Funds
140.523	Bed Reserves
140.524	Cessation of Payment Due to Loss of License
140.525	Eligibility For Quality Incentive Program (QUIP)



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140.526	Quality Incentive Standards and Criteria for the Quality Incentive Program (QUIP)
140.527	Quality Incentive Survey
140.528	Payment of Quality Incentive
140.529	Reviews
140.530	Basis of Payment for Long Term Care Services
140.531	General Service Costs
140.532	Health Care Costs
140.533	General Administration Costs
140.534	Ownership Costs
140.535	Costs for Interest, Taxes and Rent
140.536	Organization and Pre-Operating Costs
140.537	Payments to Related Organizations
140.538	Special Costs
140.539	Nurse's Aide Training and Testing
140.540	Costs Associated With Nursing Home Care Reform Act and Implementing Regulations
140.541	Salaries Paid to Owners or Related Parties
140.542	Cost Reports-Filing Requirements
140.543	Time Standards for Filing Cost Reports
140.544	Access to Cost Reports (Repealed)
140.545	Penalty for Failure to File Cost Reports
140.550	Update of Operating Costs
140.551	General Service Costs
140.552	Nursing and Program Costs
140.553	General Administrative Costs
140.554	Component Inflation Index
140.555	Minimum Wage
140.560	Components of the Base Rate Determination
140.561	Support Costs Components
140.562	Nursing Costs
140.563	Capital Costs
140.565	Incentive Payments for Quality Care (Repealed)
140.566	Level I Incentive Payments (Repealed)
140.567	Level II Incentive Payments (Repealed)
140.568	Duration of Incentive Payments (Repealed)
140.569	Clients With Exceptional Care Needs
140.570	Capital Rate Component Determination
140.571	Fair Rental Value (FRV) Calculation
140.572	Total Capital Rate
140.573	Other Capital Provisions
140.574	Capital Costs for Rented Facilities
140.575	Newly Constructed Facilities (Repealed)
140.576	Renovations (Repealed)
140.577	Capital Costs for Rented Facilities (Renumbered)
140.578	Property Taxes
140.579	Specialized Living Centers

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140.580	Mandated Capital Improvements
140.581	Qualifying as Mandated Capital Improvement
140.582	Cost Adjustments
140.583	Campus Facilities
140.584	Illinois Municipal Retirement Fund (IMRF)
140.590	Audit and Record Requirements
140.642	Screening Assessment for Long Term Care and Alternative Residential Settings and Services
140.643	In-Home Care Program
140.645	Medical and In-Home Care For Disabled Persons Under Age 21
140.646	Reimbursement for Developmental Training (DT) Services for Individuals With Developmental Disabilities Who Reside in Long Term Care (ICF and SNF) and Residential (ICF/MR) Facilities
140.647	Description of Developmental Training (DT) Services
140.648	Determination of the Amount of Reimbursement for Developmental Training (DT) Programs
140.649	Effective Dates of Reimbursement for Developmental Training (DT) Programs
140.650	Certification of Developmental Training (DT) Programs
140.651	Decertification of Day Programs
140.652	Terms of Assurances and Contracts
140.680	Effective Date Of Payment Rate
140.700	Discharge of Long Term Care Residents
140.830	Appeals of Rate Determinations
140.835	Determination of Cap on Payments for Long Term Care (Repealed)

SUBPART F: MEDICAID PARTNERSHIP PROGRAM

Section	General Description
140.850	Definition of Terms
140.855	Covered Services
140.865	Sponsor Qualifications
140.870	Sponsor Responsibilities
140.875	Department Responsibilities
140.880	Provider Qualifications
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AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 19891991, ch. 111 1/2, par. 6503-1 et seq.) and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 19891991, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13)

SOURCE: Adopted at 3 Ill. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 Ill. Reg. 8374, effective July 6, 1982; emergency amendment at 6 Ill. Reg. 8508, effective July 6, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 681, effective December 30, 1982; amended at 7 Ill. Reg. 7956, effective July 1, 1983; amended at 7 Ill. Reg. 8308, effective July 1, 1983; amended at 7 Ill. Reg. 8271, effective July 5, 1983; emergency amendment at 7 Ill. Reg. 8354, effective July 5, 1983, for a maximum of 150 days; amended at 7 Ill. Reg. 8540, effective July 15, 1983; amended at 7 Ill. Reg. 9382, effective July 22, 1983; amended at 7 Ill. Reg. 12868, effective September 20, 1983; peremptory amendment at 7 Ill. Reg. 15047, effective October 31, 1983; amended at 7 Ill. Reg. 17358, effective December 21, 1983; amended at 8 Ill. Reg. 254, effective December 21, 1983; emergency amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150 days; recodified at 8 Ill. Reg. 2483; amended at 8 Ill. Reg. 3012, effective February 22, 1984; amended at 8 Ill. Reg. 5262, effective April 9, 1984; amended at 8 Ill. Reg. 6785, effective April 27, 1984; amended at 8 Ill. Reg. 6903, effective May 9, 1984; amended at 8 Ill. Reg. 7258, effective May 16, 1984; emergency amendment at 8 Ill. Reg. 7910, effective May 22, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7910, effective June 1, 1984; amended at 8 Ill. Reg. 10032, effective June 18, 1984; emergency amendment at 8 Ill. Reg. 10062, effective June 20, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13343, effective July 17, 1984; amended at 8 Ill. Reg. 13779, effective July 24, 1984; Sections 140.72 and 140.73 recodified to 89 Ill. Adm. Code 141 at 8 Ill. Reg. 16354; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17899; peremptory amendment at 8 Ill. Reg. 18151, effective September 18, 1984; amended at 8 Ill. Reg. 21629, effective October 19, 1984; peremptory amendment at 8 Ill. Reg. 21677, effective October 24, 1984; amended at 8 Ill. Reg. 22155, effective October 29, 1984; peremptory amendment at 8 Ill. Reg. 22155, effective October 29, 1984; amended at 8 Ill. Reg. 23218, effective November 20, 1984; emergency amendment at 8 Ill. Reg. 23721, effective November 21, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 25067, effective December 19, 1984; emergency amendment at 9 Ill. Reg. 407, effective January 1, 1985, for a maximum of 150



6927, effective April 5, 1988; Sections 140.940 thru 140.972 recodified to 89 Ill. Adm. Code 149.5 thru 149.325 at 12 Ill. Reg. 7401, amended at 12 Ill. Reg. 7695, effective April 21, 1988; amended at 12 Ill. Reg. 10497, effective June 3, 1988; amended at 12 Ill. Reg. 10717, effective June 14, 1988; emergency amendment at 12 Ill. Reg. 11868, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12509, effective July 15, 1988; amended at 12 Ill. Reg. 14271, effective August 29, 1988; emergency amendment at 12 Ill. Reg. 16921, effective September 28, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16738, effective October 5, 1988; amended at 12 Ill. Reg. 17879, effective October 24, 1988; amended at 12 Ill. Reg. 18198, effective November 4, 1988; amended at 12 Ill. Reg. 19396, effective November 6, 1988; amended at 12 Ill. Reg. 19734, effective November 15, 1988; amended at 13 Ill. Reg. 125, effective January 1, 1989; amended at 13 Ill. Reg. 24755, effective February 14, 1989; amended at 13 Ill. Reg. 3069, effective February 28, 1989; amended at 13 Ill. Reg. 3351, effective March 6, 1989; amended at 13 Ill. Reg. 3917, effective March 17, 1989; amended at 13 Ill. Reg. 5115, effective April 3, 1989; amended at 13 Ill. Reg. 5718, effective April 10, 1989; Sections 140.850 thru 140.896 recodified to 89 Ill. Adm. Code 146.5 thru 146.225 at 13 Ill. Reg. 7040; amended at 13 Ill. Reg. 7025, effective April 24, 1989; amended at 13 Ill. Reg. 7786, effective May 20, 1989; Sections 140.94 thru 140.398 recodified to 89 Ill. Adm. Code 148.10 thru 148.390 at 13 Ill. Reg. 9572; emergency amendment at 13 Ill. Reg. 10977, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 11516, effective July 3, 1989; amended at 13 Ill. Reg. 12119, effective July 7, 1989; Section 140.110 recodified to 89 Ill. Adm. Code 148.120 at 13 Ill. Reg. 12118; amended at 13 Ill. Reg. 12562, effective July 17, 1989; amended at 13 Ill. Reg. 14391, effective August 31, 1989; emergency amendment at 13 Ill. Reg. 15473, effective September 12, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 16992, effective October 16, 1989; amended at 14 Ill. Reg. 190, effective December 21, 1989; amended at 14 Ill. Reg. 2564, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 3241, effective February 14, 1990, for a maximum of 150 days; emergency expired July 14, 1990; amended at 14 Ill. Reg. 4543, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 4577, effective March 6, 1990, for a maximum of 150 days; emergency expired August 3, 1990; emergency amendment at 14 Ill. Reg. 5575, effective April 1, 1990, for a maximum of 150 days; emergency expired August 29, 1990; emergency amendment at 14 Ill. Reg. 5865, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 7141, effective April 27, 1990; emergency amendment at 14 Ill. Reg. 7249, effective April 27, 1990, for a maximum of 150 days; amended at 14 Ill. 10062, effective June 12, 1990; amended at 14 Ill. Reg. 10409, effective June 19, 1990; emergency amendment at 14 Ill. Reg. 12082, effective July 5, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 13262, effective August 6, 1990; emergency amendment at 14 Ill. Reg. 14184, effective August 16, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 14570, effective August 22, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14826, effective August 31, 1990; amended at 14 Ill. Reg. 15366, effective September







## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## Section 140.421. Limitations on Dental Services

## a) Prior approval is required for:

1) Space maintainers-(will not be approved if an adult-as-defined in Section 140.420);

2) Crowns;

3) Endodontics;

4) Periodontics;

5) Dentures;

6) Bridgework;

7) Orthodontics (to be approved, the procedure must be to treat a severe handicapping malocclusion or a handicapping dento-facial deformity);

8) Extraction of impacted teeth;

9) Alveoloplasty-(will not be approved if an adult-as-defined in Section 140.420);

10) Cyst excisions;

11) Frenulectomy-(will not be approved if an adult-as-defined in Section 140.420);

12) Analgesia (nitrous oxide);

13) Dental services not included in the Department's Schedule of Dental Procedures (See Table D at the end of this Part).

b) The dentist may request post-approval when a dental procedure requiring prior approval is provided on an emergency basis. Approval of the procedures shall be given if, in the judgment of a consulting dentist of the Department or a consulting dental service, the procedure is necessary to prevent dental disease or to restore and maintain adequate dental function to assure good bodily health and the well-being of the patient.

c) Payment for complete and partial dentures is limited to one set every three years; payment for a bridge is limited to once in five years.

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## Section 140.421(c) (continued)

Bridgework will be reimbursed only if there has not been placement of a partial denture within the prior three years.

d) Root canals, apexification, and apicoectomy procedures are covered for children for anterior teeth, bicusps, and permanent first molars.--Root-canals-are-covered-for-adults-only-for-anterior-teeth.

e) Full Mouth series of x-rays are covered only once every three years.

(Source: Amended at 16 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



## ILLINOIS DEVELOPMENT FINANCE AUTHORITY

## NOTICE OF ADOPTED RULES

- 1) The Heading of the Part: Financing Programs

- 2) Code Citation: 14 Ill. Adm. Code 1220

Section numbers:	Adopted Action
1220.100	New Section
1220.110	New Section
1220.120	New Section
1220.130	New Section
1220.140	New Section
1220.150	New Section
1220.160	New Section
1220.200	New Section
1220.210	New Section
1220.220	New Section
1220.230	New Section
1220.240	New Section
1220.250	New Section
1220.300	New Section
1220.310	New Section
1220.320	New Section
1220.330	New Section
1220.400	New Section
1220.410	New Section
1220.500	New Section
1220.510	New Section
1220.520	New Section

- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 48, par. 850.06(e)

- 5) Effective Date of Rule: June 15, 1992

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Does this amendment contain incorporations by reference? No

- 8) Date Filed in Agency's Principal Office: June 15, 1992

- 9) Notice of Proposal Published in Illinois Register:

June 21, 1991, 15 Ill. Reg. 8747

- 10) Has JCAR issued a Statement of Objections to these rules? No

## ILLINOIS DEVELOPMENT FINANCE AUTHORITY

## NOTICE OF ADOPTED RULES

- 11) Differences between proposal and final version:

- To amend the first sentence of Section 1220.120(b) to read as follows: "Each application for industrial, business, local government, non-for-profit organization or environmental projects....". The parenthetical phrase in Section 1220.120(b)(3) will be revised to read: "i.e., whether industrial, business, local government, not-for-profit organization or environmental".
- To replace the term "borrower" for "applicant(s)" and "developer" wherein those terms appear in this rulemaking, more particularly Sections 1220.120(b)(1); (b)(2); (b)(11); (c); (d)(2); (d)(4); 1220.130(c); (d); 1220.140(a); (b); 1220.160(c); 1220.200(a); 1220.300(c); 1220.510(a) and (b).
- To replace "An indication" with "A statement" in Section 1220.120(b)(15), as well as Section 1220.120(b)(3).
- To replace "An indication" with "A statement" in Section 1220.120(b)(18) and Sections 1220.120(b)(24)-(25).
- To amend the relevant part of Section 1220.120(b)(21) to read as follows: "...contractor; or engineer, or other qualified person;
- To add: "such as letters of credit, fund escrows or debt reserve," to Section 1220.120(b)(25) after "credit enhancement" as well as add a comma after "bonds" in that Section.
- To replace "an indication" with "a statement" in Section 1220.120(b)(26).
- To revise Section 1220.120(b)(26) to read, in relevant part, as follows: "...financing district, slum or blighted area as defined in Section 3(1) of the Urban Renewal Consolidation Act of 1961 (Ill. Rev. Stat. 1991, ch. 67 1/2, par. 91.103(i)), commercial district or targeted redevelopment area (an area designated by local authorities and to which local authorities or other persons have committed funds to redevelop that area to include, but not be limited to, enterprise zones, TIF districts and slum and blighted areas)."
- To amend Section 1220.120(c)(2) to read as follows:  
  
An operating pro forma financial statement covering the construction period and the succeeding ten-year period giving the base year's revenues, maintenance and operating costs. Explanatory footnotes shall be written describing the...



## ILLINOIS DEVELOPMENT FINANCE AUTHORITY

## NOTICE OF ADOPTED RULES

10. To replace "may" with "shall" in Section 1220.130(d).
11. To delete "promptly" from Section 1220.140(a) and add "within 30 days" after "in writing" in that Section.
12. To add the text "Sections 103 and 141-147 of" before "the Tax Code" in Section 1220.160(c), as well as combine the Indented paragraph with the text of Section 1220.160(c), amended as follows:  
"...financing for capitol projects, which include but are not limited to:."
13. To replace "may" with "shall" in Section 1220.200(a) and add the following text to the first sentence in that Section: "provided, that consideration of a resolution remains on the Authority's next meeting agenda".
14. To add the following text to Section 1220.200(b): "if requested by the Authority staff or borrower because of a need for additional time to conclude the project".
15. To add this text to Section 1220.230(a)(5): "based on an evaluation of the borrower's credit worthiness as evidenced in the application".
16. To add this text to Section 1220.230(b)(5): "based on an evaluation of the borrower's credit worthiness as evidenced in the application".
17. To add to Section 1220.230(b): "representations made by the borrower in the application".
18. To replace "may" with "shall" in Section 1220.230
19. To change "responsible" to "required" in the second sentence of Section 1220.230
20. Deletions of the text "at 9:00 a.m." and "Illinois Department of Commerce and Community Affairs, 620 East Adams Street," and insertion of the phrase "the Illinois Development Finance Authority," in for the second deleted phrase;
21. Deletions of the text "the months of November and December, and during" from Sections 1220.300(b) and 1220.320(a);
22. Insertion of "Section 147 of" before "the Tax Code" in Sections 1220.300(c) and (d); and

## ILLINOIS DEVELOPMENT FINANCE AUTHORITY

## NOTICE OF ADOPTED RULES

23. Replacement of "eight (8)" with "ten (10)" in Section 1220.520 and addition of "technical, non-substantive" before "provision of this rulemaking" in the second sentence of that Section.
- 12) Have all the changes agreed upon by the agency and JCPR been made as indicated in the agreement letter issued by JCPR? Yes
- 13) Will these amendments replace an emergency rule (amendment, repealer) currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rules: These new rules state the application procedures and decision-making process for the several bond and loan financing programs of the Illinois Development Finance Authority.
- 16) Information and questions regarding these adopted amendments shall be directed to:  
  
Philip S. Howe  
600 South Second Street (Suite 100)  
Springfield, Illinois 62704  
217/524-1567

The full text of the Adopted Rules begin on the next page:



ILLINOIS DEVELOPMENT FINANCE AUTHORITY

NOTICE OF ADOPTED RULES

TITLE 14: COMMERCE  
SUBTITLE C: ECONOMIC DEVELOPMENT  
CHAPTER III: ILLINOIS DEVELOPMENT FINANCE AUTHORITY

PART 1220  
FINANCING PROGRAMS

SUBPART A: APPLICATION PROCEDURES

Section	Summary and Purpose
1220.100	Definitions
1220.110	Application Forms
1220.120	Notice to Municipalities
1220.130	Changes in Information and Additional Information
1220.140	Meetings of the Authority
1220.150	Eligible Projects
1220.160	

SUBPART B: BOARD PROCEDURES

Section	Scheduling of Project Consideration
1220.200	Staff Review
1220.210	Authority Action
1220.220	General Criteria for Approval
1220.230	Additional Criteria for Commercial Projects
1220.240	Submission of Documents
1220.250	

SUBPART C: ADDITIONAL PROCEDURES

Section	Public Hearing Procedures and Responsibilities
1220.300	Final Public Approval
1220.310	Requests for Allocation
1220.320	Amendatory Resolutions
1220.330	

SUBPART D: POOLED BOND ISSUES

Section	Bond Counsel on Pooled Bond Issues
1220.400	Program Requirements; Standardized Documents
1220.410	

SUBPART E: MISCELLANEOUS

Section	Transcripts
1220.500	Authority Fees
1220.510	Noncompliance and Waiver
1220.520	

ILLINOIS DEVELOPMENT FINANCE AUTHORITY

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AUTHORITY: Implementing Section 5 and authorized by Section 6(e) of the Illinois Development Finance Authority Act (Ill. Rev. Stat. 1991, ch. 48, pars. 850.05 and 850.06(e)).

SOURCE: Adopted at 16 Ill. Reg. 10163, effective June 15, 1992.

SUBPART A: APPLICATION PROCEDURES

Section 1220.100 Summary and Purpose

- a) The Authority operates several loan programs utilizing revenue bonds and available program capital. Some or all of these programs are available to businesses, local government, and not-for-profit institutions. The purpose of the Authority is to utilize its statutory powers to increase jobs, retain existing jobs, assist local government in accessing affordable financing, facilitate capital financing of businesses and other eligible organizations and generally to strengthen the economy and infrastructure of the State. The following rules describe the policies of the Authority governing access to its programs.
- b) The Authority is "a body politic and corporate of the State" operated by its 15 members. The members are appointed by the Governor and confirmed by the Senate. The members meet monthly as a board and 8 affirmative votes are necessary to approve all financings. The Board is served by a staff headed by an Executive Director who operates the daily business of the Authority.

Section 1220.110 Definitions

- Words defined in the Illinois Development Finance Authority Act have the same meaning when used in these rules.
- "Act" means the Illinois Development Finance Authority Act (Ill. Rev. Stat. 1991, ch. 48, par. 850.01 et seq.).
- "Application" means an application for revenue bond or loan financing in the form provided by the Authority. The form of application may be amended from time to time.
- "Board" means the members of the Authority, gathered in a meeting to transact Authority business.
- "Bond Counsel" means an attorney at law or firm of attorneys of nationally recognized standing in matters pertaining to the tax-exempt nature of interest on, and the validity of, bonds issued by states and their political subdivisions, duly admitted to the practice of law before the highest court of any state of the United States of America or of the District of Columbia. The Authority relies on a list of



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bond counsels published quarterly by the Bond Buyer in the "Directory of Municipal Bond Dealers". The bond counsel or firm must have rendered a sole legal opinion in connection with the sale of state or municipal bonds (short-term issues excluded) within the two year period preceding submission of the borrower's application to the Authority. The legal opinion rendered may have been on either publicly offered or privately placed bond issues. Attorneys acting only as counsel to an underwriter or placement agent do not qualify.

"Bond purchase commitment" means a letter, bond purchase agreement or other document from a bond purchaser, underwriter or placement agent indicating that the terms of a financing have been finalized and that the parties are prepared to execute the documents pertaining to the financing in their present form. A bond purchase commitment will not be regarded as complete unless it specifies the aggregate principal amount of the bond issue, the maximum interest rate or interest rate formula, the term of the issue, the maximum and minimum prices at which the bonds will be purchased, and an amortization schedule.

"Borrower" means the obligor on a loan made by the Authority, whether from the proceeds of a revenue bond issue or program capital.

"Enterprise Zone" means an enterprise zone as defined in the Illinois Enterprise Zone Act (Ill. Rev. Stat. 1991, ch. 67 1/2, par. 603(b)).

"Environmental Act" means the Illinois Environmental Facilities Financing Act (Ill. Rev. Stat. 1991, ch. 127, par. 721 et seq.).

"Environmental Project" means any project which constitutes an environmental facility or facilities, as those terms are used in the Environmental Act.

"Final Resolution" means a resolution adopted by the Authority approving the final terms of a financing by the Authority.

"Inducement Resolution" or "Loan Commitment Resolution" means a resolution adopted by the Authority with respect to a project indicating the Authority's willingness to provide financing for the project, subject to the conditions specified in the resolution.

"State" means the State of Illinois.

"Tax Code" means the Internal Revenue Code of 1986, as amended, codified in Title 26, United States Code.

"Tax Increment Financing (TIF) District" means an area designated for redevelopment through tax increment allocation financing as provided in the Real Property Tax Increment Allocation Redevelopment Act (Ill. Rev. Stat. 1991, ch. 24, par. 11-74.4-1 et seq.).

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"Volume cap" means the aggregate principal amount of Private Activity Bonds which can be issued in any given calendar year by the State and its political subdivisions (including the Authority) as obligations the interest on which is exempt from federal income taxation. Volume cap is determined under Section 147 of the Tax Code, or its successor section in any subsequent United States Internal Revenue Code; and by the Illinois Private Activity Bond Allocation Act (Ill. Rev. Stat. 1991, ch. 17, par. 6851, et seq.).

## Section 1220.120 Application Forms

a) Persons seeking financing assistance for their project through one of the Authority's financing programs must submit information to enable the members to determine the nature of the project, the likelihood of repayment of a loan, the security structure needed for a loan, and the extent to which a project meets the applicable statutory requirements and purposes.

b) Each application for industrial, business, local government, not-for-profit organization or environmental projects must include to the extent applicable to the entity submitting the application and the particular facts of the project itself:

- 1) The legal name and address of the borrower;
- 2) The name(s) and address(es) of the principal occupant(s) or user(s), if different from the borrower;
- 3) A statement of the type of project (i.e., whether industrial, business, local government, not-for-profit organization or environmental);
- 4) A description of the type of business of the borrower;
- 5) The standard industrial classification code and category for the borrower's business;
- 6) The borrower's federal tax identification number or social security number;
- 7) The form of organization of the borrower;
- 8) A description of other businesses, if any, which have ownership interests in the borrower;
- 9) The names and addresses of shareholders holding more than 10% of stock in the borrower and/or all general partners if the borrower is a partnership; or, if the owner or any property financed would be a land trust, an identification of the trust and all beneficiaries of the trust including the percentage of beneficial interest of each beneficiary of the trust;
- 10) A listing of the names, positions, percent ownership and employment starting date, if any, of persons responsible for the management of the company;
- 11) A description of the history and background of the business of the borrower;
- 12) A complete description of the project including its proposed location, street address, legal description, elements of the proposed project (such as land acquisition, building



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construction, renovation, equipment purchases and installation, estimated project commencement and completion dates and information on tenants, if any, to whom any portion or portions of the project may be leased; and a copy of any real estate sales contract and/or any lease agreement pertaining to the project;

- 13) A description of the products to be produced at the proposed facility;
- 14) A description of the machinery and equipment to be acquired with proceeds of the bond issue, including acquisition lead time, the cost of the equipment and whether it is new or used;
- 15) A statement of whether the project is located in an enterprise zone;
- 16) Information relating to the project site, its size, access roads, railroad access and utilities;
- 17) Site improvements existing on the land (e.g. parking lots, driveways, landscaping);
- 18) A statement of the United States Congressional, Illinois House of Representatives, and Illinois Senate Districts in which the project is located;
- 19) A description of the buildings existing and to be built and their intended uses;
- 20) The amount of the proposed financing;
- 21) A summary of project costs including:
  - A) a breakdown of project expenditures, the total costs of project elements, and the sources of funds for payment of such costs including sources other than bond proceeds; and
  - B) evidence of construction and/or renovation cost estimates provided by an architect, contractor or engineer, which may be in the form of a letter from the estimator;
- 22) A description of sources and amounts of working capital available to the borrower, including lines of credit;
- 23) An identification of the proposed bond purchaser or purchasers, the interest rate and term of the bonds, and a copy of the letter of intent or commitment letter from such purchaser, which letter must be addressed to the borrower;
- 24) A statement of whether the bonds will be publicly sold or privately placed;
- 25) A statement of whether guarantees or other forms of credit enhancement, such as letters of credit, fund escrows or debt reserve with respect to payment of the bonds, will be part of the transaction;
- 26) For commercial projects, a statement of whether the project is located in a tax increment financing district, slum or blighted area as defined in Section 3(i) of the Urban Renewal Consolidation Act of 1961 (Ill. Rev. Stat. 1991, ch. 67 1/2, par. 91.103(i)), commercial district or targeted redevelopment area (an area designated by local authorities and to which local authorities or other persons have committed funds to redevelop that area, to include, but not be limited to, enterprise zones,

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TIF districts and slum and blighted areas):

- 27) For environmental projects, copies of orders, complaints, decrees and other official action to which the project is a response;
  - 28) Information on current or projected employment for the two years subsequent to completion of the project, and, for commercial projects, a listing of the proposed tenants, lease type, rental amounts, areas rented and the term of the leases;
  - 29) An estimate of the number of construction jobs to be created as a result of the project;
  - 30) A statement as to the effect of the project on the community, including such examples as increased traffic, generation of retail sales and real estate taxes, environmental effect, employment opportunities and quality of life;
  - 31) A statement as to the economic feasibility or marketing analysis for the project;
  - 32) The names, addresses and telephone numbers of the borrower's general counsel, bond counsel, accountant, and consultant, if any;
  - 33) The name and address of the municipality or other unit of government that exercises planning and subdivision control over the project site. See Section 1220.130.
  - 34) A certification by the borrower that the site for the project is not located in a special flood hazard area as designated by the Illinois Department of Transportation, Division of Waterways, and that the borrower has made an investigation which determined that it is not in such an area. The borrower must also certify that all information in the application is true to the best knowledge and belief of the borrower.
- c) Each application for a project for which the borrower is not an existing company or any project which is to be financed on a non-recourse, mortgage basis, and each application for a commercial project must include:
- 1) A projected cash flow analysis for the project.
  - 2) An operating pro forma financial statement covering the construction period and the succeeding ten-year period giving the base year's revenues, maintenance and operating costs. Explanatory footnotes shall be written describing the assumptions used in forecasting income and expenses. Debt service expenses should be separated by lending source, and method of depreciation must be noted.
- d) Unless the project is to be financed in a non-recourse, mortgage basis, each borrower for a project must:
- 1) If the application is for an existing company, submit financial statements for the previous three (3) years of operation, plus an interim financial statement not more than 90 days old at the time the application is submitted. Audited statements are preferred if available.
  - 2) Submit a comparative summary balance sheet and a summary profit and loss statement for the previous three (3) years.



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- 3) Provide sales and earnings projections for a three (3) year period.
- 4) If the borrower is not the operating company, but an individual, provide a personal history of the borrower and personal financial statements. Partnership borrowers must include personal statements for each partner, if the principals are to guarantee the bonds, and must indicate the party with legal authority to sign documents.

**Section 1220.130 Notice to Municipalities**

- a) *The Authority shall not issue any bonds relating to the financing of an industrial project located within the planning and subdivision control jurisdiction of any municipality unless:*

- 1) *Notice of the proposed project, including a description of the proposed financing, is submitted to the corporate authorities of such municipality; and*
- 2) *Such corporate authorities, within 45 days after mailing of the notice, have failed to notify the Authority that the municipality has adopted a resolution disapproving the project, or have notified the Authority that the municipality has adopted a resolution approving the project.* (Ill. Rev. Stat. 1991, ch. 48, par. 850.06-1)
- b) The Authority will submit notice to the municipalities designated by the borrower after adoption of the inducement resolution. It is the responsibility of each borrower and its counsel to properly identify to the Authority at the time of application any municipality having planning and subdivision control jurisdiction over any portion of the project. The Authority will incorporate into the notice the project description and approximate financing amount provided by the borrower in the application.
- c) During the months of November and December, and during the two months preceding the effective date of any tax legislation changes affecting bonds, the Authority will forward the required 45-day notice to municipalities prior to adoption of an inducement resolution, if requested by the borrower.
- d) Changes in the project, the legal entity who will become the borrower in the financing, or the financing amount or structure shall require additional or corrected notices to be sent. Notice to the Authority of such changes are the responsibility of the borrower. The Authority assumes no responsibility for any delays in completing the financing arising out of a need to comply with this Section.

**Section 1220.140 Changes in Information and Additional Information**

- a) Borrowers are responsible for notifying the Authority in writing within 30 days of any subsequent material changes in the nature or description of the project, the financial condition of the proposed borrower, and the proposed structure or participation in the

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- b) Prior to the Board meeting at which project financing will be considered, the borrower must submit a disclosure statement which will disclose the ownership of any trust, estate, corporate and partnership entities who will be in the role of borrower or guarantor in the financing. A form for this purpose may be provided by the Authority.

**Section 1220.150 Meetings of the Authority**

Regular meetings of the Authority are held in accordance with a schedule adopted by the Authority at its annual meeting in July. The schedule of meetings for the current fiscal year of the Authority is available on request. The schedule of meetings is subject to change. The Authority may schedule special meetings in a manner consistent with the by-laws of the Authority. Notice of the time and place of all regular and special meetings will be published in accordance with the Illinois Open Meetings Act (Ill. Rev. Stat. 1991, ch. 102, par. 41 et seq.).

**Section 1220.160 Eligible Projects**

- a) Projects, other than environmental or public purpose projects, must be located in an area of Critical Labor Surplus as defined in Section 3(b) of the Act.
- b) All projects to be financed on a federal tax-exempt basis must meet eligibility requirements imposed under the Tax Code.
- c) Borrowers may seek financing for capital projects, which include but are not limited to, the acquisition, construction, refurbishment, creation, development or redevelopment of any facility, equipment, machinery, real property, or personal property for use by an entity whether public or private, for profit or not for profit. Project costs also include the associated expenses of a capital project, such as expenses relating to engineering and legal services, plans, specifications, surveys, estimates of costs, and determining the feasibility or practicability of the project. Projects which are structured to receive the benefits of tax exempt status under Sections 103 and 141-147 of the Tax Code shall adhere to the expenditure regulations regarding the use of the exempt proceeds.

## SUBPART B: BOARD PROCEDURES

**Section 1220.200 Scheduling of Project Consideration**

- a) The Authority shall consider the adoption of an inducement resolution or a loan commitment resolution for a project at the next regularly scheduled meeting of the Authority following the receipt of a completed application, provided that the application is received not later than four weeks preceding such meeting. If the application is received less than four weeks prior to the meeting date, the Authority may, at its option, consider the resolution at either that meeting or



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the next regularly scheduled meeting. Borrowers will be notified by letter of the project number assigned to their transaction and of the time and place of the meeting at which their application will be considered. The Authority recommends that borrowers attend such meeting in order to answer any questions posed by the Board.

b) In case of a loan commitment resolution, the Authority resolution shall continue as a valid commitment for a period of time not later than the end of the sixth month following the date of the resolution. The Authority may extend the resolution for an additional six months by motion adopted by the Board if requested by the Authority staff or borrower because of a need for additional time to conclude the project.

c) Any material change in the financing structure or the financial condition of the borrower between the date of adoption of a resolution and closing of the transaction shall require reconsideration by the Board.

## Section 1220.210 Staff Review

The staff of the Authority will review each complete application and place it on the agenda for consideration by the Board. The staff will make a recommendation for Board action with respect to each project based upon the criteria set forth in Sections 1220.230 and 1220.240. The recommendations of the staff are not binding on the Board.

## Section 1220.220 Authority Action

a) The Board, using the criteria set forth in Sections 1220.230 and 1220.240 will review each application for issuance of its revenue bonds to finance a project and take any one of the following actions:

- 1) Adopt an inducement or loan commitment resolution.
- 2) Decline to adopt an inducement or loan commitment resolution with respect to the project.
- 3) Table consideration of the project to allow further time for consideration by the Board or for submission of additional information by the borrower.

b) The Authority may reconsider applications which have not received inducement resolutions if requested by the borrower and if a motion to so reconsider is made by a member of the Authority who was either absent or voted "no" at the time the application was originally considered.

## Section 1220.230 General Criteria for Approval

In determining whether to recommend an application for financing under Section 1220.220, the Authority staff shall take into account the following criteria:

- a) The financial responsibility of the borrower and user of the project, including:
  - 1) The readiness of the project to proceed;

- 2) In the case of a revenue bond of the Authority, the nature of the commitment of the proposed purchaser, the nature of the bond security, and the likelihood that the bond purchaser will be repaid based on an evaluation of the borrower's credit worthiness as evidenced in the application;
- 3) The likelihood that the project would not proceed without the benefit of Authority financing;
- 4) Whether the project is one of several projects to be financed through a pooled bond issue; and
- 5) In the case of a loan or other use of Authority's funds, the ability of the borrower to repay the Authority and the sufficiency of available collateral based on an evaluation of the borrower's credit worthiness as evidenced in the application.

b) The relationship between the amount of funds to be provided by the Authority and each of the following representations made by the borrower in the application:

- 1) The number and type of jobs produced or retained by the project, including jobs in the construction industry;
- 2) The contribution the project will make to the economic development of the area in which it is located and the need for such development;
- 3) The need or demand for the goods and services to be provided by the project;
- 4) Whether the project will result in the retention of businesses and jobs in the State which would otherwise be lost to the State; and
- 5) In the case of an environmental project, the environmental benefits of the project.

c) Such other evidence which the borrower makes available to demonstrate that the project advances the objectives of the Act or the Environmental Act, as the case may be.

## Section 1220.240 Additional Criteria for Commercial Projects

In addition to the criteria established in Section 1220.230, in the case of commercial projects the Authority shall consider whether and to what extent any of the following conditions exists:

- a) The project will be occupied in whole or in substantial part by the owner of the project who is expanding his or her business and increasing employment, or whether all or a substantial part of the project has been leased to a tenant or tenants who are expanding their businesses and increasing employment.
- b) The project has special features which are designed to attract start-up companies, and the owner can demonstrate the likelihood of success for the project; for example, incubator facilities and projects which provide shared or low-cost services to small businesses.
- c) The project demonstrates a likelihood of occupancy and is located in:
  - 1) an enterprises zone;



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- 2) a Tax Increment Financing District;
  - 3) an officially designated slum or blighted area under State law; or
  - 4) any other district specifically designated for economic development by the municipality in which the project is located.
- d) The owner can demonstrate a reasonable expectation of increased employment from the project based upon his or her past experience in developing and leasing similar projects or upon the market for similar projects in the area.

## Section 1220.250 Submission of Documents

In order for a bond financing to be considered for final resolution at the monthly meeting of the Authority, a bond purchase commitment and copies of all major financing documents, including any official statement or offering memorandum in substantially final form must be submitted to the Authority not less than 12 calendar days in advance of the applicable meeting date. Documents will be regarded as in substantially final form when submitted with a bond purchase commitment and a letter from bond counsel which states that fact. In addition, any public hearings required under the Tax Code must be held prior to the adoption of a final resolution. Bond counsel should notify the Authority at least 7 calendar days prior to the date of the meeting if the amount of the bonds to be issued has changed from the amount set forth in the inducement resolution. During December, and within the calendar month preceding the effective date of any tax legislation passed by either house of the United States Congress, the Authority may shorten the foregoing deadlines for projects pending at such time.

## SUBPART C: ADDITIONAL PROCEDURES

## Section 1220.300 Public Hearing Procedures and Responsibilities

In the case of a project which is to be financed as a private activity bond, as that term is used in the Tax Code, bond counsel and borrowers are responsible for ensuring compliance with the public notice and hearing requirements of the Tax Code. The Authority has established the following procedures in this Subpart to assist in meeting these requirements.

- a) Public hearings will be held on Monday immediately preceding each regular meeting of the Authority. If that Monday is a public holiday, however, the public hearing will be held on the next day. Bond counsel for the project must request the Authority to hold a public hearing for a project prior to the meeting of the Authority at which the final resolution for such project will be adopted. Public hearings will be held by a designated officer or employee of the Authority commencing on the hearing date at the offices of the Illinois Development Finance Authority in Springfield, Illinois, or such other location designated by the Authority from time to time. Bond counsel should select a proposed date for the public hearing and notify the Authority and Authority counsel of it in writing at least

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- three weeks prior to the date selected. Bond counsel should include with this notification a copy of the proposed notice of public hearing.
- b) During the two months preceding the effective date of any tax legislation passed by either house of the United States Congress, the Authority may revise its schedule of public hearings to increase the number of public hearings to be held. Bond counsel should consult with Authority staff to assure that the needs of the project are able to be accommodated.
  - c) The borrower and its bond counsel are responsible for publication of public notice of any hearing required under Section 147 of the Tax Code not less than two weeks prior to the date selected for such hearing. Public notice must be published in the State Journal-Register in Springfield, Illinois and in a newspaper of general circulation available to residents of the locality of the facility to be financed.
  - d) Bond counsel should arrange for affidavits of publication evidencing the required publication of public notice of any hearing required under Section 147 of the Tax Code to be sent to and received by the Authority at least two business days before the public hearing.

## Section 1220.310 Final Public Approval

The Governor of the State serves as the applicable elected representative for purposes of the public approval requirement of the Tax Code. The Authority will not submit requests for approval to the Governor until the public hearing has been held and the Authority has adopted a final resolution authorizing the issuance and sale of the bonds.

## Section 1220.320 Requests for Allocation

- a) The Authority will not allocate volume cap or request an allocation of volume cap from the Governor's office until all basic documents for the transaction have been submitted to the Authority in substantially final form, a public hearing with request to the financing has been duly held and the Authority has adopted a final resolution authorizing the issuance and confirming the sale of bonds. However, during the two months preceding the effective date of any tax legislation passed by either house of the United States Congress, the Authority may waive the requirements that a final resolution be passed prior to submission by the Authority of a request for allocation for all projects pending at the time of such waiver.
- b) During the calendar year, the Authority may receive cessions of bonding volume. Such ceded bonding volume may be restricted or unrestricted, depending on the resolution of the municipality pursuant to which it is ceded. If restricted, the Authority will use such amount of ceded bonding volume in conformity with such restrictions.

## Section 1220.330 Amendatory Resolutions



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- If material changes are made to a project or the terms of the financing, an amendatory resolution shall be required. Borrowers are required to notify the Authority in writing and consult bond counsel and counsel to the Authority if material changes are to be made to the project or the terms of the financing which would require the adoption of such an amendatory resolution. Such an amendatory resolution will be considered at the next regular meeting of the Authority occurring not sooner than two weeks following receipt by the Authority of such written notice.
- SUBPART D: POOLED BOND ISSUES
- Section 1220.400 Bond Counsel on Pooled Bond Issues**
- The Authority will select bond counsel to be used on all pooled financings. Such bond counsel may be paid from bond proceeds. Each borrower in a pooled financing must be represented by its own general counsel.
- Section 1220.410 Program Requirements; Standardized Documents**
- The Authority will prescribe program requirements for each pooled financing on an issue by issue basis. Such program requirements will relate primarily to the individual deal structure and may relate to such matters as minimum and maximum loan sizes, and requirements to maintain the tax-exempt status of a pooled financing. In addition, on all pooled financings borrowers and participating banks may be required to use standardized forms of certain documents prepared by bond counsel or counsel to the Authority.
- Section 1220.500 Transcripts**
- The Authority must receive after the bond closing one unbound set or originally executed counterparts of all closing documents and one bound volume containing copies of all closing documents, the cost of which shall be borne by the borrower. Both the unbound transcript and the bound volume should include an index of closing documents or closing memorandum incorporating such index. The Authority should receive the unbound transcript within one month of the closing and the bound volume within three months after the closing.
- b) Each document in the unbound transcript should be filed in a separate pocket, envelope or folder.
- c) The bound volume must be permanently bound with library binding, with a dark blue or black cover in buckram (or its equivalent) and gold lettering.
- d) The spine of the bound volume should contain the following information:
- 1) The name of the project;
  - 2) The amount of the bond issue;
  - 3) The type of bond issue (i.e., IRB or Pollution Control);
- 4) The name "Illinois Development Finance Authority";
- 5) The final maturity date of the bonds; and
- 6) The series designation, if any (i.e., Series 198X).
- The cover of the bound volume should contain the following information:
- 1) The name of the project;
  - 2) The amount of the bond issue;
  - 3) The type of bond issue; and
  - 4) The name "Illinois Development Finance Authority."
- f) If the documents are bound in more than one volume, each volume should specify which documents are contained in that volume (i.e., Vol. I - closing documents 1-7; Vol. II - closing documents 8-45).
- g) If the unbound transcript or bound volume does not meet these specifications, it will be returned and another bound volume or unbound transcript meeting these specifications will be required.

**Section 1220.510 Authority Fees**

- a) Authority is statutorily required to support itself through charging fees to borrowers, interest on its loans and making investments.
- b) The Authority shall establish appropriate fees from time to time, and shall publish such fees applicable to each of its program. The Authority will provide borrowers with detailed information concerning the fees applicable to the particular project.
- c) Borrowers are advised that the Authority fees do not include any other party involved in the financing unless specifically stated. Borrowers should consult their counsel or financial advisor as to the fees of other parties.

**Section 1220.520 Noncompliance and Waiver**

Noncompliance by the Authority with any provisions of this rulemaking will not invalidate any action taken by the Authority pursuant to a duly adopted resolution of the Authority within the powers delegated to the Authority under the Act. The Authority may, by a vote of ten (10) members, waive any technical, non-substantive provision of this rulemaking. In any resolution of the Authority waiving a provision of this rulemaking, the Authority will make findings of fact inducing it to waive the rule in question.



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- 1) The Heading of the Part: Preschool Educational and Coordinated Model Preschool Educational Programs

- 2) Code Citation: 23 Ill. Adm. Code 235

- 3) Section Number:

235.10	<u>Adopted Action:</u>
235.20	New Section
235.30	New Section
235.40	New Section
235.45	New Section
235.50	New Section
235.60	New Section
235.100	New Section
235.110	New Section
235.120	New Section
235.130	New Section
235.135	New Section
235.140	New Section
235.150	New Section

- 4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 122, par. 2-3.71, as amended by P.A. 87-515, effective September 13, 1991.

- 5) Effective Date of Rules: June 10, 1992

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Does this rule contain incorporations by reference?

The rules do not contain an incorporation by reference under Section 5-75 of the Illinois Administrative Procedure Act.

- 8) Date Filed in Agency's Principal Office: June 1, 1992

- 9) Notice of Proposal Published in Illinois Register:

January 10, 1992, 16 Ill. Reg. 439

- 10) Has JC&R issued a Statement of Objections to this (these) rule(s)? No

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- 11) Difference(s) between proposal and final version:

The following language has been added to Section 235.30(d)(3)(A)(ii).

- ii) Parent interview (to be conducted in the parents' home language, if necessary), including a summary of the child's health history and social development.

Section 235.30(d)(3)(A)(iv) has been deleted and included as new Section 235.30(d)(3)(C).

- C) Each child to be enrolled in the prekindergarten at-risk program shall submit documentation of health examination and immunization in accordance with Section 27-8.1 of the School Code and 23 Ill. Adm. Code 625 (Health Examinations and Immunizations).

The following language has been added to Section 235.30(d)(4)(F).

- F) Other information such as daily schedules (including the number of hours per day and days per week the program will operate), classroom locations, facility leasing information (i.e., owner's name, terms of the lease agreement), if applicable, as specified in the RFP.

The following language has been added to Section 235.100(c).

- c) Model programs may serve all children from preschool and early childhood age groupings (i.e., all children ages 3 to kindergarten enrollment age, as defined in Section 10-20.12 of the School Code).

The following language has been added to Section 235.120(c)(3).



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## 3) Facilities

A description of the location and type of facilities to be used for the model program, and if the facilities are leased, the leasing arrangement (i.e., owner's name, terms of the lease agreement).

The following language has been added to Section 235.100.

- d) Model programs shall be open to all eligible children without regard to race, national origin, sex, religion or handicap.

Additionally, other minor changes as requested by the Joint Committee on Administrative Rules were made in Sections 235.30(a), 235.30(b), 235.30(d)(9)(H), 235.40(b), 235.45(b), 235.60(c), 235.100(b), 235.120(a), 235.120(c)(7)(H), 235.130(b), 235.135(b), and 235.150(c).

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?  
Yes

- 13) Will this rule replace an emergency rule currently in effect? No

- 14) Are there any amendments pending on this Part? No

- 15) Summary and Purpose of Rules:

These proposed rules are divided into two subparts. Subpart A describes the application procedure and approval criteria for the Prekindergarten Program for Children At Risk of Academic Failure. The rules define the prekindergarten at-risk program; the population to be served by the program; and who may apply for grants to fund a prekindergarten program. The rules also describe the application procedure, including the required components of the prekindergarten educational and screening programs; set forth criteria by which grant proposals will be evaluated; provide for both initial and renewal applications; and contain additional information pertaining to the terms under which prekindergarten programs will be funded.

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Subpart B implements two public acts: P.A. 86-316, approved in 1989, which added the coordinated model research program to Section 2-3.71 of the School Code; and P.A. 87-515, approved in the 1991 legislative session, which makes private institutions of higher education eligible applicants under the program.

Since the statute gives the discretion of whether to fund model research programs to the State Board of Education, this subpart specifies when funds (up to 5 percent of the amount appropriated for the prekindergarten at-risk program) will be used to support model research programs.

This subpart also describes who is eligible to apply for a grant; the application procedure and content; and various terms and conditions of receiving a grant under this program. Additionally, the proposed rules describe the necessary components of a model research program and the criteria by which grant proposals, both initial and renewal, will be evaluated.

- 16) Information and questions regarding this adopted rule shall be directed to:

Name: Jon X. Healy  
Agency Rules Coordinator  
Address: Illinois State Board of Education  
100 North First Street  
Springfield, Illinois 62777-0001  
Telephone: (217) 782-3950

The full text of the Adopted Rules begins on the next page:



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## TITLE 23: EDUCATION AND CULTURAL RESOURCES

## SUBTITLE A: EDUCATION

## CHAPTER I: STATE BOARD OF EDUCATION

## SUBCHAPTER f: INSTRUCTION FOR SPECIFIC STUDENT POPULATIONS

## PART 235

## PRESCHOOL EDUCATIONAL AND COORDINATED MODEL PRESCHOOL EDUCATIONAL PROGRAMS

## SUBPART A: PREKINDERGARTEN AT-RISK PROGRAM

## Section

235.10

Purpose

235.20

Eligible Applicants

235.30

Application Procedure and Content

235.40

Proposal Review and Approval Criteria - Initial

Applications

235.45

Proposal Review and Approval Criteria - Renewal

Applications

235.50

Allocation of Funds

235.60

Terms of the Grant

## SUBPART B: COORDINATED MODEL PRESCHOOL EDUCATIONAL PROGRAM

235.100

Implementation and Purpose

235.110

Eligible Applicants

235.120

Application Procedure and Content

235.130

Proposal Review and Approval Criteria - Initial

Applications

235.135

Proposal Review and Approval Criteria - Renewal

Applications

235.140

Allocation of Funds

235.150

Terms of the Grant

**AUTHORITY:** Implementing and authorized by Section 2-3.71 of the School Code (Ill. Rev. Stat. 1989, ch. 122, par. 2-3.71, as amended by P.A. 87-515, effective September 13, 1991).

**SOURCE:** Adopted at 16 Ill. Reg. 10181, effective June 10, 1992.

**NOTE:** Capitalization denotes statutory language.

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## SUBPART A: PREKINDERGARTEN AT-RISK PROGRAM

## Section 235.10 Purpose

- a) These rules establish the procedures and criteria for approval of applications submitted to the State Board of Education by eligible applicants for grants to assist in establishing prekindergarten programs for children at risk of academic failure as authorized in Section 2-3.71(a) of the School Code (Ill. Rev. Stat. 1989, ch. 122, par. 2-3.71(a)).

- b) "At risk" is defined as those children WHO BECAUSE OF THEIR HOME AND COMMUNITY ENVIRONMENT ARE SUBJECT TO SUCH LANGUAGE, CULTURAL, ECONOMIC AND LIKE DISADVANTAGES THAT THEY HAVE BEEN DETERMINED, AS A RESULT OF SCREENING PROCEDURES (to be carried out in conformance with Section 235.30(d)(3)) TO BE AT RISK OF ACADEMIC FAILURE (Section 2-3.71(a) of the School Code).

## Section 235.20 Eligible Applicants

Proposals for grant awards under Section 2-3.71(a) of the School Code may be submitted only by a public school district. A public school district may subcontract with a private school, not-for-profit corporation or other governmental agency to conduct a preschool educational program for children ages 3 to kindergarten enrollment age, as defined in Section 10-20.12 of the School Code, who are considered to be at risk of academic failure. A combination of public school districts may submit a joint application for funds.

- a) If a joint application is submitted, then an administrative agent shall be designated, and the superintendent from each of the participating districts shall sign the application.
- b) Applicants who propose to use a subcontractor shall provide the information required by Section 235.30(d)(8).

## Section 235.30 Application Procedure and Content

It is the intention of the State Board of Education to approve prekindergarten at-risk program projects for a three-year period. Funding for the second and third years of operation, i.e., beginning the year following the initial grant award, will be



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contingent upon the availability of funds for the program and on the grantee's progress toward meeting its objectives (see Section 235.45).

- a) The State Board of Education will issue a Request for Proposals (RFP) specifying the information that applicants shall include in their proposals and requiring that proposals be submitted no later than the date specified in the RFP. The RFP shall provide at least 45 calendar days in which to submit proposals.
- b) Proposals may be written to request funds to provide screening and an educational program, or an educational program only. Applicants that propose to provide an educational program only shall furnish evidence showing that the program staff will be or have been provided with the results of and were included in the screening process; dates of screening including screening results and name of entity that conducted screening; a description of comprehensive screening procedures; and that children to be served in the educational program were identified in accordance with subsection (d) (3) of this Section.
- c) All applicants shall complete the "Prekindergarten Program for Children At Risk of Academic Failure" proposal summary contained in the RFP.
- d) Each initial proposal (i.e., from applicants who did not receive funding under this Subpart for a prekindergarten at-risk program in the year previous to an application) shall provide the following information:
  - 1) Statement of Need
    - A) Applicants shall describe the process that was used to determine the need for a prekindergarten at-risk program in the community in relation to other similar services which may be operating in the same geographic area.
    - B) Applicants shall describe the need for the prekindergarten at-risk program based on demographic data and descriptive information regarding the community in which the children reside. Such information about the community may include, but need not be limited to,

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educational level of parents, employment conditions, birth trauma, low birth weight or prematurity, the community's dropout, truancy and teenage pregnancy rates, number of limited-English-speaking families, and rates of poverty, child abuse and neglect, and information regarding drug/alcohol abuse.

- C) Applicants shall include estimates of the total number of age-eligible children (i.e., ages 3 to kindergarten enrollment age) at risk in the proposed service area and the number of such children previously enrolled in state and federally funded birth-through-age-2 early prevention/intervention programs who are now age-eligible for the prekindergarten at-risk program.
- D) If other services available to the same population are in operation in the school district (e.g., Chapter 1, bilingual, English as a Second Language programs) or in the community (e.g., Head Start, child-care programs), then applicants shall describe the procedures to be used to work with those programs for recruitment, screening of children and program delivery.
  - 2) Population to be Served
 

The prekindergarten at-risk program shall serve those children who are ages 3 to kindergarten enrollment age and are considered to be at risk of academic failure as defined in Section 235.10(b).

    - A) Applicants shall indicate the maximum number of children to be screened for program eligibility, and for those children who are screened, state the maximum to be served by the educational program.
    - B) Applicants shall indicate the staff/child ratio for each classroom. It shall not exceed a ratio of one adult to 10 children, and no more than 20 children shall be served in each classroom.



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## 3) Screening

Applicants may adopt or adapt a comprehensive screening procedure from an existing program, using the list of suggested screening programs contained in the RFP, or develop their own comprehensive screening procedures. If applicants adapt an existing comprehensive screening procedure or develop their own procedures, then they shall demonstrate that the instruments used are valid and reliable, citing the source(s) of evidence used (e.g., publisher's assurance; assurance of district personnel who have matched the assessment approach with empirical data and results). All comprehensive screening procedures shall contain the elements set forth in subsections (A) and (B) of this subsection.

A) Applicants shall indicate the specific procedures that will be used to screen children and to determine their need for educational services. The proposed comprehensive screening procedures shall include the areas listed in subsection (B) of this Section and shall assess each child's development in relation to the criteria established for them. Comprehensive screening procedures shall include at least the following components:

- i) Written parental permission for screening, as required by Section 2-3.71(a) of the School Code.
- ii) Parent interview (to be conducted in the parents' home language, if necessary), including a summary of the child's health history and social development.
- iii) Vision and hearing screening, in accordance with 77 Ill. Adm. Code 685 (Vision Screening) and 77 Ill. Adm. Code 675 (Hearing Screening).
- iv) Screening instruments/activities related to each of the applicant's criteria as required in subsection (A) above.

## v) Provision for the inclusion of

prekindergarten at-risk program teaching staff in the screening process. Results of the screening shall be made available to the teaching staff.

B) Applicants shall indicate and define the criteria by which students will be determined to be at risk of academic failure. These criteria shall address at least the following areas: vocabulary, visual-motor integration, language and speech development, English proficiency, fine and gross motor skills, social skills and cognitive development.

C) Each child to be enrolled in the prekindergarten at-risk program shall submit documentation of health examination and immunization in accordance with Section 27-8.1 of the School Code and 23 Ill. Adm. Code 625 (Health Examinations and Immunizations).

## 4) Educational Program

The proposed educational program shall not be approved for funding unless the screening requirements listed in subsections (b) and (d)(3) of this Section have been met. Each applicant's proposal shall include the following in relation to the educational program:

A) A description of how the proposed educational program, which may be classroom- and/or home-based, is developmentally appropriate for each child. That description will be accepted based on evidence in the proposal that the results of the individualized assessment profile for each child will be the basis for determining that child's educational program.

B) A description of the curriculum, which shall include:

- i) Integrated learning and related experiences that address the following domains of development: physical, including fine and gross motor, visual-motor, health and nutrition; cognitive;



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language; emotional; and social. Applicants shall describe how these domains of development shall be incorporated into the program components to ensure effective service delivery and program administration.

- ii) Each proposal shall describe the language and literacy development program to be implemented for all children. This program will be based on each child's individual assessment.
- C) Development and implementation of student progress plans to ensure that the educational program meets the needs of the student and provides a system whereby that student's parents are routinely advised of their child's progress.
- D) A list and description of the roles of full-time and part-time professional and nonprofessional staff positions to be paid by the project. All staff shall hold the appropriate certification in the position for which they were hired pursuant to 23 Ill. Adm. Code 1. Appendix B (Public Schools Evaluation, Recognition and Supervision).
- E) A description of the staff inservice training and other staff development activities to be conducted. These activities shall be designed with special emphasis on the population to be served in the prekindergarten at-risk program.
- F) Other information, such as daily schedules (including the number of hours per day and days per week the program will operate), classroom locations, facility leasing information (i.e., owner's name, terms of the lease arrangement), if applicable, as specified in the RFP.
- 5) Parent-Community Involvement
  - A) The applicant shall describe the proposed parent education/involvement component of the prekindergarten at-risk program. Such

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component shall provide to the parents an explanation of the program's goals, objectives and planned activities and may include home visitations and parents' involvement in the classroom.

- B) The applicant shall describe how the program will establish and maintain linkages and cooperate with other child-care providers concerned with the education, welfare, health and safety needs of young children. Applicants are encouraged to establish linkages with such programs as Head Start, birth-through-age-2 programs, adult literacy and others specified in the RFP.
- 6) Evaluation
  - A) Formative evaluation

The applicant shall describe the evaluation process for determining whether progress is being made toward achieving its program objectives.
  - B) Summative Evaluation

The applicant shall describe the evaluation process for determining the success of the program. The evaluation shall be designed so that it will provide assessment data on all children who are served by the project and permit the collection of longitudinal data necessary to determine the effect of the prekindergarten at-risk program on those children as they progress through school.
- 7) Budget

The budget summary and payment schedule shall be completed on the form provided in the RFP. A budget breakdown, i.e., a detailed explanation of each line item of expenditure, also shall be provided. The budget will include costs for an annual program review.



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## 8) Subcontracting

The applicant may operate its own program or enter into a subcontract with a private school, not-for-profit or other governmental agency to implement the program; however, all program responsibilities are to be retained by the applicant to ensure compliance with the terms and conditions of the grant. All subcontracting shall be documented and have the prior approval of the State Superintendent of Education. Approval of subcontracts shall be subject to the same criteria as are applied to the original project application. The following information is required if any subcontracting is used:

- A) Name and address of subcontractor(s).
- B) Need/purpose for subcontracting.
- C) Measurable and time-specific services to be provided.
- D) Projected number of children to be served.
- E) Associated costs, i.e., amounts, including the total, to be paid for services specified in the subcontract.

## 9) Certification and Assurances

The applicant shall submit the certification and assurances form attesting to the following:

- A) The applicant has the necessary legal authority to apply for and to receive the proposed grant. The filing of the application has been authorized by the governing body of the applicant, and the applicant's representative has been duly authorized to file the application, and to otherwise act as the authorized representative of the applicant in connection with the application and any award in relation thereto.
- B) The activities and services for which assistance is sought under the program will be administered by or under the supervision

of the applicant in accordance with the laws and regulations applicable to the contract. No subcontractors will be used except as stated in the application.

- C) In planning the program proposed in the application, there has been, and in establishing and carrying out the program, there will be (to the extent applicable to the program) participation of persons broadly representative of the cultural and educational resources of the area to be served, including persons representative of the interests of potential beneficiaries.

- D) All funds provided shall be used for the purposes stated in the approved proposal.

- E) The applicant understands that payment for approved services and expenses will be made on a reimbursement-of-claims basis, and that payment will be made in accordance with the applicable statutes, regulations and standards after an application for payment is submitted to the State Board of Education.

- F) The applicant will maintain records on program and fiscal activities related to each award for a period of three years for a state-funded program, and five years for a federally funded program, following the end of each award period. Such records shall include a fiscal accounting for all monies in accordance with generally accepted governmental accounting principles. The State Board of Education shall have the right to inspect the applicant's records for auditing and monitoring purposes. If there are outstanding audit exceptions, then records will be retained on file until such exceptions are closed out to the satisfaction of the State Board of Education.

- G) All rights, including copyright, to data, information, and/or other materials developed pursuant to an award are retained by the State Board of Education, unless otherwise agreed in writing by the State Board of Education. All such work products produced



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by the applicant through work pursuant to the award shall be made available to the State Board of Education upon request.

The applicant shall submit the Drug-Free Workplace Certification form as it appears in the RFP.

- H) The applicant will obey all laws, regulations, and executive orders prohibiting discrimination on the basis of race, color, national origin, sex, age, or handicap, and all other laws, regulations, and executive orders applicable to its activities, including but not limited to the School Code (Ill. Rev. Stat. 1989, ch. 122, par. 1-1 et seq.), Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), the Illinois Human Rights Act (Ill. Rev. Stat. 1989, ch. 68, par. 1-101 et seq.), the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), the Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.), Titles VI and VII of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq., 2000e et seq.), the Public Works Employment Discrimination Act (Ill. Rev. Stat. 1989, ch. 29, par. 16.9 et seq.), and the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

- I) The applicant is not barred from entering into a contract by Section 33E-3 or 33E-4 of the Criminal Code of 1961 (Ill. Rev. Stat. 1989, ch. 38, pars. 33E-3, 33E-4).

- J) The applicant is not barred from entering into a contract by Section 10.1 of the Illinois Purchasing Act (Ill. Rev. Stat. 1989, ch. 127, par. 132-10.1).

- K) The applicant is not barred from entering into a contract by Section 11.1 of the Illinois Purchasing Act (Ill. Rev. Stat. 1989, ch. 127, par. 132-11.1).

- L) If the applicant is an individual, then the applicant is not in default on an educational loan as provided in Section 3 of the Educational Loan Default Act (Ill. Rev. Stat. 1989, ch. 127, par. 3553).

- 10) Drug-Free Workplace Certification

- e) Each proposal for renewal shall contain at least the following:

- 1) A summative evaluation of the preceding year's program documenting the services provided and using evaluation data and other information to demonstrate the degree to which the program achieved its stated objectives;
- 2) Updated information applicable to the activities proposed for the renewal period as called for in subsections (d)(1) through (d)(8) of this Section. Any changes in these elements from the initial year to those proposed for the renewal period shall be explained in the renewal application;
- 3) A narrative statement relating the activities and objectives proposed for the renewal period to the evaluation results provided pursuant to subsection (e)(1) above; and
- 4) The certification and assurances forms referred to in subsections (d)(9) and (d)(10) of this Section, bearing the signature of the current administrative agent and applicable to the renewal period.

#### Section 235.40 Proposal Review and Approval Criteria -- Initial Applications

Proposals submitted for initial funding under this Subpart in response to the Request for Proposals shall be evaluated in the following manner and in accordance with the criteria set forth in subsection (c) of this Section.

- a) Information contained in proposals submitted in accordance with Section 235.30 shall be reviewed by State Board of Education staff to determine that the information demonstrates compliance with Section 2-3.71(a) of the School Code and this Subpart.
- b) If a proposal is incomplete, then State Board staff will communicate with the applicant by telephone to request the needed information. Such applicants shall



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supply the requested information within 30 calendar days of their receipt of said request.

- c) Complete program proposal applications shall be reviewed and rank ordered by early childhood consultants hired by the State Board of Education on the basis of the following criteria and points:
- 1) The program proposal reflects consideration of recommended program elements specified in the Request for Proposals; contains a developmentally appropriate screening and/or educational component(s), goals, objectives and activities, and an evaluation process that are appropriate for the population to be served; and complies with all other requirements specified in the Request for Proposals -- up to 65 points.
  - 2) The program proposal clearly indicates a need exists for the prekindergarten at-risk program because the number or proportion of students determined or estimated to be at risk of academic failure in the applicant's population demonstrates that program funds could help to alleviate educational problems that exist in the school district(s) -- up to 15 points.
  - 3) The program is cost-effective as evidenced by the cost of proposed services in relation to the numbers to be served and the services to be provided -- up to 15 points.
- Section 235.45 Proposal Review and Approval Criteria - Renewal Applications
- Proposals submitted for a renewal period shall be evaluated in accordance with the following criteria:
- a) The evaluation of the previous year's project indicates that its stated objectives have been met and that the project has been conducted in conformance with the application approved by the State Superintendent of Education; or
  - b) In instances where certain objectives of the project have not been met, the grantee has described the relative status of each such objective, the reason(s) for incomplete achievement, and either

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- 1) the steps to be taken to ensure that the objective will be met during the renewal period, if the objective remains a valid part of the proposal for renewal, or
- 2) if the grantee has determined that the objective should be deleted from its plan or altered in light of the previous year's experience, then the grantee has provided its rationale for such deletion or change and has described how the program's goals for the renewal period will be met in light of the change.

## Section 235.50 Allocation of Funds

The State Superintendent of Education shall determine the amount of individual grant awards, following negotiation with the grant recipient, on the basis of:

- a) recommendations based on the criteria set forth in Sections 235.40 and 235.45;
- b) the total funds appropriated for prekindergarten at-risk programs;
- c) the program needs, resources, and amounts requested in approved renewal applications and in the top-ranked proposals determined pursuant to Section 235.40(c); and
- d) the need to assure delivery of prekindergarten at-risk programs on a statewide basis and in a manner that will have the greatest impact on children determined to be at risk of academic failure.

## Section 235.60 Terms of the Grant

- a) All grants issued under this Subpart shall be governed by the Illinois Grant Funds Recovery Act (Ill. Rev. Stat. 1989, ch. 127, par. 2301 et seq.).
- b) The time period of the grant shall run from September 1 of the calendar year or from a date to be negotiated through August 31 of the following calendar year.
- c) An audit report which includes a certified opinion and statement of receipts and disbursements compared to the approved budget shall be submitted to the State Board no later than 45 days after the end of each contract period.



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- d) Payments from the State Board of Education to grantees shall be made according to a negotiated payment schedule provided that there is no excessive cash on hand. Payments will be subject to availability of funds. Amounts projected for each month are expected to be a reflection of need for that month and not simply the total budget divided by the number of months in the project. Following negotiations, contract budgets may be amended by completing an amendment to the budget summary and payment schedule form and attaching supplementary documentation showing variances and justifications. A budget amendment is necessary whenever an approved individual line item changes by more than \$500 or 10% (whichever is larger) from the approved budget. Changes will be approved if the proposed distribution of resources or activities would have been approvable within the original application.

- e) Successful applicants shall submit formative and summative evaluation reports, as requested, specifying:

- 1) descriptive statistics on the population served, eligibility, screening procedures and staff qualifications and training;
- 2) descriptive information, including type and quality of the educational program, amount and extent of interagency collaboration, and parent education and involvement;
- 3) the extent to which program objectives have been accomplished; and
- 4) any similar program-related information that the State Superintendent of Education may request upon 30 days' written notice.

## SUBPART B: COORDINATED MODEL PRESCHOOL EDUCATIONAL PROGRAM

## Section 235.100 Implementation and Purpose

- a) The State Board of Education may annually allocate up to 5 percent of the prekindergarten at-risk program funds to support coordinated model preschool educational program(s) (hereinafter, model program(s)) provided that the State Superintendent of Education has determined that such action will not:

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- 1) reduce the number of ongoing programs for prekindergarten children considered to be at risk of academic failure; or
  - 2) reduce the adequacy of services provided to children in such programs.
- b) Each year the State Superintendent of Education, upon determining whether funds will be made available for model program(s), shall make that determination public within 10 days after the decision is made.
- c) Model programs may serve all children from preschool and early childhood age groupings (i.e., all children ages 3 to kindergarten enrollment age, as defined in Section 10-20.12 of the School Code).
- d) Model programs shall be open to all eligible children without regard to race, national origin, sex, religion or handicap.

## Section 235.110 Eligible Applicants

- a) Proposals for grant awards under Section 2-3.71(b) of the School Code shall be submitted jointly by public school districts and public or private institutions of higher education. Where the applicant is a public school district or consortium of districts, then the proposal also shall include a public or private institution of higher education. Where the applicant is an institution of higher education, then the proposal shall include a public school district or districts.

- b) In each case a single entity shall be designated as the administrative agent, and the chief executive officer of each participating agency shall sign the proposal.
- c) A cover letter which identifies the applicants and the administrative agent for the model program shall be submitted with each proposal.

## Section 235.120 Application Procedure and Content

- a) The State Board of Education will issue a Request for Proposals (RFP) specifying the information which applicants shall include in their proposals and requiring that proposals be submitted no later than the



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date specified in the RFP. The RFP shall provide at least 45 calendar days in which to submit proposals.

b) Model programs shall contain the following elements:

- 1) A plan of operation describing how the model program will be administered overall and in relation to its components (i.e., its organizational and administrative structure).
  - 2) An early childhood education component built around the following domains of development: physical, cognitive, social, emotional and language; and incorporating parents into the overall plan for their child's education, including giving parents an explanation of the program's goals, objectives and planned activities.
  - 3) A personnel training component in preferred teaching methodologies in effective preschool education designed for the model program staff and for the training of other current or prospective teachers in early childhood education.
  - 4) A research component addressing early childhood development and psychology to be conducted by the participating institution of higher education based on a research agenda reflecting the needs of the model program's educational staff and the research expertise of the institution of higher education.
  - 5) A component for the coordination of the model program services, including research and personnel training, with preschool at-risk programs funded under Subpart A and with any other model programs funded under this Subpart. This shall at least include provisions for information sharing, dissemination of research results, and inservice training opportunities for early childhood education personnel.
- c) Each initial proposal (i.e., from applicants who did not receive funding under this Subpart for a model program in the year previous to their application) shall provide the following information:

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1) Goals, Objectives and Activities

A statement of the project's goals, objectives and activities in relation to each of the components listed in subsection (b) of this Section, which shall include an annual plan for the program. Applicants may use the initial year's grant for planning activities necessary to generate the capabilities to operate a model program, in which case applicants shall describe how planning activities are related to the proposed goals and objectives. Applicants shall submit activity statements (program goals along with specific objectives and activities), which shall include:

- A) an indication of when each activity will be implemented and completed;
- B) an indication of who will conduct each activity; and
- C) an indication of what each activity will accomplish.

2) Personnel

A description of the roles and qualifications of administrative, research/training and teaching personnel to be assigned to the project. All public school instructional personnel in the model program shall hold the appropriate certification in the position for which they were hired pursuant to 23 Ill. Adm. Code 1. Appendix B (Public Schools Evaluation, Recognition and Supervision).

3) Facilities

A description of the location and type of facilities to be used for the model program, and if the facilities are leased, the leasing arrangement (i.e., owner's name, terms of the lease agreement).

4) Subcontracting

Only those direct services which the applicant ordinarily does not provide (e.g., printing) may be subcontracted. All subcontracting shall be



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documented and have the approval of the State Superintendent of Education. Such subcontracts shall contain specific provisions limiting the delivery of goods and services under them to those authorized under the terms of the grant award issued by the State Board of Education to the eligible applicant. Approval of subcontracts shall be subject to the same criteria as are applied to the original project application. The following information is required if any subcontracting is used:

- A) Name and address of subcontractor(s).
- B) Need/purpose for subcontracting.
- C) Measurable and time-specific services to be provided.
- D) Associated costs, i.e., amount to be paid under the contract.
- E) A description, if applicable, of the products to be delivered.

## 5) Budget

The budget summary and payment schedule shall be completed on the form provided in the RFP. A budget breakdown, i.e., a detailed explanation of each line item of expenditure, also shall be provided.

## 6) Evaluation

## A) Formative evaluation

The applicant shall describe the evaluation process to be used for determining whether progress is being made toward achieving its program objectives.

## B) Summative Evaluation

The applicant shall describe the evaluation process to be used for determining the success of the program. The evaluation shall be designed to assess the effectiveness of each component of the project in relation to

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its goals and to the persons served by the project. The evaluation shall describe the services provided to individuals and include descriptive statistics, such as numbers served, services offered and delivered, and the degree to which the projected outcomes for each program component were accomplished.

## 7) Certification and Assurances

The applicant shall submit the certification and assurances form attesting to the following:

- A) The applicant has the necessary legal authority to apply for and to receive the proposed grant. The filing of the application has been authorized by the governing body of the applicant, and the applicant's representative has been duly authorized to file the application, and to otherwise act as the authorized representative of the applicant in connection with the application and any award in relation thereto.
- B) The activities and services for which assistance is sought under the program will be administered by or under the supervision of the applicant in accordance with the laws and regulations applicable to the contract. No subcontractors will be used except as stated in the application.
- C) In planning the program proposed in the application, there has been, and in establishing and carrying out the program, there will be (to the extent applicable to the program) participation of persons broadly representative of the cultural and educational resources of the area to be served, including persons representative of the interests of potential beneficiaries.
- D) All funds provided shall be used for the purposes stated in the approved proposal.
- E) The applicant understands that payment for approved services and expenses will be made on a reimbursement-of-claims basis, and that



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payment will be made in accordance with the applicable statutes, regulations and standards after an application for payment is submitted to the State Board of Education.

F) The applicant will maintain records on program and fiscal activities related to each award for a period of three years for a state-funded program, and five years for a federally funded program, following the end of each award period. Such records shall include a fiscal accounting for all monies in accordance with generally accepted governmental accounting principles. The State Board of Education shall have the right to inspect the applicant's records for auditing and monitoring purposes. If there are outstanding audit exceptions, then records will be retained on file until such exceptions are closed out to the satisfaction of the State Board of Education.

G) All rights, including copyright, to data, information, and/or other materials developed pursuant to an award are retained by the State Board of Education, unless otherwise agreed in writing by the State Board of Education. All such work products produced by the applicant through work pursuant to the award shall be made available to the State Board of Education upon request.

H) The applicant will obey all laws, regulations, and executive orders prohibiting discrimination on the basis of race, color, national origin, sex, age, or handicap, and all other laws, regulations, and executive orders applicable to its activities, including but not limited to the School Code (Ill. Rev. Stat. 1989, ch. 122, par. 1-1 et seq.), Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), the Illinois Human Rights Act (Ill. Rev. Stat. 1989, ch. 68, par. 1-101 et seq.), the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), the Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.), Titles VI and VII of the Civil Rights Act of 1964 (42 U.S.C. 2000d et

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seq., 2000e et seq.), the Public Works Employment Discrimination Act (Ill. Rev. Stat. 1989, ch. 29, par. 16.9 et seq.), and the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

I) The applicant is not barred from entering into a contract by Section 33E-3 or 33E-4 of the Criminal Code of 1961 (Ill. Rev. Stat. 1989, ch. 38, pars. 33E-3, 33E-4).

J) The applicant is not barred from entering into a contract by Section 10.1 of the Illinois Purchasing Act (Ill. Rev. Stat. 1989, ch. 127, par. 132-10.1).

K) The applicant is not barred from entering into a contract by Section 11.1 of the Illinois Purchasing Act (Ill. Rev. Stat. 1989, ch. 127, par. 132-11.1).

L) If the applicant is an individual, then the applicant is not in default on an educational loan as provided in Section 3 of the Educational Loan Default Act (Ill. Rev. Stat. 1989, ch. 127, par. 3553).

## 8) Drug Free Workplace Certification

The applicant shall submit the Drug-Free Workplace Certification form as it appears in the RFP.

d) Each proposal for renewal shall contain at least the following:

1) A summative evaluation of the preceding year's model program documenting the services provided and using evaluation data and other information to demonstrate the degree to which the program achieved its stated objectives;

2) Updated information applicable to the activities proposed for the renewal period as called for in subsections (c)(1) through (c)(6) of this Section. Any changes in these elements from the initial year to those proposed for the renewal period shall be explained in the renewal application;



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- 3) A narrative statement relating the activities and objectives proposed for the renewal period to the evaluation results provided pursuant to subsection (d)(1) above; and
- 4) The certification and assurances forms referred to in subsections (c)(7) and (c)(8) of this Section, bearing the signature of the current administrative agent and applicable to the renewal period.

## Section 235.130 Proposal Review and Approval Criteria -- Initial Applications

Proposals submitted by first-time applicants in response to the Request for Proposals shall be evaluated in the following manner and in accordance with the criteria set forth in subsection (c) of this Section.

- a) Information contained in proposals submitted in accordance with Section 235.120(c) shall be reviewed by State Board of Education staff to determine that the information demonstrates compliance with Section 2-3.71(b) of the School Code and this Subpart.
- b) If the proposal is incomplete, then State Board staff shall send a written notice to applicants requesting that they supply the needed information. Such applicants shall supply the requested information within 30 calendar days of their receipt of said notice.
- c) Complete model program proposal applications shall be reviewed and rank ordered by State Board staff on the basis of the following components, criteria and points.

- 1) Education component (15 points), which shall include:
  - A) A developmentally appropriate program for each child, based on an assessment which shall include at least the following:
    - i) acquiring information from parents;
    - ii) recording observations of children in play and daily routines and interactions;

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- iii) developing a comprehensive assessment of each child, based on observations, that includes behaviors and interactions during daily routines, interests and development (e.g., cognitive, motor, language, social, emotional, creative); and
  - iv) applying ongoing observations and assessments in curriculum planning and implementation.
- B) The involvement of the parents/community, which shall at least include parent education/involvement (e.g., home visitations, parents' involvement in the classroom) and procedures for the project to establish and maintain linkages and cooperate with other child-care providers concerned with the education, welfare, health and safety needs of young children.
- 2) Research (15 points), which shall include:
    - A) The adequacy of the project's research design, methodology, instrumentation, and data analysis plan as applicable to an initial or continuing project; and
    - B) The extent to which the research design exhibits a thorough knowledge of current research and developmental concepts, theories, and outcomes in early childhood care and education, and relates these to the proposed activities.
  - 3) Personnel training (15 points) - The extent to which:
    - A) The personnel training component uses objectives derived from preferred teaching methodologies in effective preschool education designed for the model program staff and for the training of other current or prospective early childhood personnel; and
    - B) The component incorporates a provision for onsite student teaching for early childhood certification purposes.



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- 4) Coordination (15 points) - The communication linkages among and between the program components will contribute to achieving the program's goals and objectives.
- 5) Plan of Operation (15 points) - The quality of the plan of operation for the project, as indicated by:
  - A) The extent to which the plan of management ensures proper and efficient administration of the project;
  - B) The applicant's plans to use its resources and personnel in a manner likely to achieve each objective of the project; and
  - C) The extent to which the plan of operation will equitably address the educational needs of students and educators in both public and private educational institutions.
- 6) Personnel (10 points) - The quality of key personnel the applicant plans to use on the project, as indicated by:
  - A) The qualifications of administrative personnel;
  - B) The qualifications of other key professional personnel to be used in the project; and
  - C) The time that each person referred to in subsections (A) and (B) above will be committed to the project.
- 7) Significance (10 points) - The likely magnitude of the contribution that will be made to knowledge and/or educational practices in early childhood education if the project is successful, including the extent to which the proposed outcomes can be broadly applied.
- 8) Budget (5 points)
  - A) The budget is adequate to support the project; and

- B) Costs are reasonable in relation to the objectives, design, and potential significance of the project.

## Section 235.135 Proposal Review and Approval Criteria - Renewal Applications

Proposals submitted for a renewal period shall be evaluated in accordance with the following criteria:

- a) The evaluation of the previous year's project indicates that its stated objectives have been met and that the project has been conducted in conformance with the application approved by the State Superintendent of Education; or
- b) In instances where certain objectives of the project have not been met, the grantee has described the relative status of each such objective, the reason(s) for incomplete achievement, and either
  - 1) the steps to be taken to ensure that the objective will be met during the renewal period, if the objective remains a valid part of the proposal for renewal, or
  - 2) if the grantee has determined that the objective should be deleted from its plan or altered in light of the previous year's experience, then the grantee has provided its rationale for such deletion or change and has described how the program's goals for the renewal period will be met in light of the change.

## Section 235.140 Allocation of Funds

The State Superintendent of Education shall determine the amount of individual grant awards, following negotiation with the grant recipient, on the basis of:

- a) recommendations based on the criteria set forth in Sections 235.130 and 235.135;
- b) the total funds appropriated for the prekindergarten at-risk program pursuant to Section 2-3.71(a) of the School Code; and



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- c) the amount of the prekindergarten at-risk program funds allocated for model programs based on the provisions of Section 235.100(a).

extent of interagency collaboration, and parent education and involvement;

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- 3) the extent to which program objectives have been accomplished;
- 4) research results, conclusions and recommendations; and
- 5) any similar program-related information that the State Superintendent of Education may request upon 30 days' written notice.

- a) All grants issued under this Subpart shall be governed by the Illinois Grant Funds Recovery Act (Ill. Rev. Stat. 1989, ch. 127, par. 2301 et seq.).

- b) The time period of the grant shall run from September 1 of the calendar year or from a date to be negotiated through August 31 of the following calendar year.

- c) An audit report which includes a certified opinion and statement of receipts and disbursements compared to the approved budget shall be submitted to the State Board no later than 45 days after the end of each contract period.

- d) Payments from the State Board of Education to grantees shall be made according to a negotiated payment schedule provided there is no excessive cash on hand. Payments will be subject to the availability of funds. Amounts projected for each month are expected to be a reflection of need for that month and not simply the total budget divided by the number of months in the project. Following negotiations, contract budgets may be amended by completing an amendment to the budget summary and payment schedule form and attaching supplementary documentation showing variances and justifications. A budget amendment is necessary whenever an approved individual line item changes by more than \$500 or 10% (whichever is larger) from the approved budget. Changes will be approved if the proposed distribution of resources or activities would have been approvable within the original application.

- e) Successful applicants shall submit formative and summative evaluation reports, as requested, specifying:

- 1) descriptive statistics on the population served, eligibility, screening procedures and staff qualifications, and outcomes related to training objectives;
- 2) descriptive information, including type and quality of the educational program, amount and



## STATE BOARD OF EDUCATION

## NOTICE OF ADOPTED AMENDMENTS

1) The Heading of the Part: Pupil Transportation Reimbursement2) Code Citation: 23 Ill. Adm. Code 1203) Section Number:Adopted Action:

- 120.10 Amendment
- 120.30 Amendment
- 120.40 Amendment
- 120.50 Amendment
- 120.60 Amendment
- 120.90 Amendment

4) Statutory Authority: Ill. Rev. Stat., 1989, ch. 122, par. 29-1 et seq.5) Effective Date of Amendments: June 10, 19926) Does this rulemaking contain an automatic repeal date? No7) Does this amendment contain incorporations by reference?

The rules do not contain an incorporation by reference under Section 5-75 of the Illinois Administrative Procedure Act.

8) Date Filed in Agency's Principal Office: June 1, 19929) Notice of Proposal Published in Illinois Register:

January 24, 1992, 16 Ill. Reg. 1452

10) Has JCAR issued a Statement of Objections to this (these) rule(s)? No11) Difference(s) between proposal and final version:

No changes were made in response to public comment or in response to the Joint Committee on Administrative Rules.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?

No changes were requested by JCAR.

13) Will this amendment replace an emergency amendment currently in effect? No14) Are there any amendments pending on this Part? No

## STATE BOARD OF EDUCATION

## NOTICE OF ADOPTED AMENDMENTS

15) Summary and Purpose of Amendments:

These amendments clarify cost proration for "nonpersonnel pupil transportation services," as explained in Section 120.90(d). As proposed, costs for pupil transportation services are separated into those for district owned or operated transportation services (Section 120.90(d)) and those for contractual transportation services, formerly referred to as "nonpersonnel pupil transportation services" (Section 120.90(e)). Additionally, Section 120.90(e) contains exceptions to the cost proration requirement in the case of contractual transportation services.

Further clarification throughout these amendments is provided in the proposed change from the use of the word "property" to the use of the word "land." Other additions contained in Section 120.60 are proposed for clarification and to include items that may be annually depreciated.

Finally, Section 120.30(a)(6) is being amended (and Section 120.40(e), eliminated) to clarify the category under which reimbursement claims may be made for the transportation of vocational education students between attendance centers and building or other trades skill development sites when the distance between points is less than one and a half miles.

16) Information and questions regarding this adopted amendment shall be directed to:

Name: Jon X. Healy  
Agency Rules Coordinator  
Address: Illinois State Board of Education  
100 North First Street  
Springfield, Illinois 62777-0001  
Telephone: (217) 782-3950

The full text of the Adopted Amendments begins on the next page:



## STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS  
TITLE 23: EDUCATION AND CULTURAL RESOURCES

## SUBTITLE A: EDUCATION

## CHAPTER I: STATE BOARD OF EDUCATION

## SUBCHAPTER C: FINANCE

## PART 120

## PUPIL TRANSPORTATION REIMBURSEMENT

## SUBPART A: SCHOOL REIMBURSEMENT

Section	
120.10	Definitions
120.20	Transportation and Student Discipline
120.30	Pupil Transportation Services Eligible for Reimbursement
120.40	Pupil Transportation Services Not Eligible for Reimbursement
120.50	Reimbursable Direct Operating Costs
120.60	Reimbursable Annual Depreciation Allowances
120.70	Deductions from Direct Operating Costs
120.80	Reimbursable Indirect Cost for Pupil Transportation Services
120.90	Cost Proration Related to Pupil Transportation
120.100	Reimbursement Formulas
120.110	Reporting Requirements
120.120	Computerized Bus Scheduling by Contract
120.130	Seat Back Reimbursement

## SUBPART B: CUSTODIAN REIMBURSEMENT FOR PUPIL TRANSPORTATION

Section	
120.200	Definitions
120.210	Custodians Eligible for Reimbursement
120.220	Custodians Not Eligible for Reimbursement
120.230	Responsibilities of Schools
120.235	Responsibilities of Public and Nonpublic Chief Administrative Officers
120.240	Reimbursement
120.245	Responsibilities of the Superintendents of Educational Service Regions
120.250	Dispute Resolution
120.260	Audit and Enforcement

AUTHORITY: Implementing and authorized by Article 29 of the School Code (Ill. Rev. Stat. 1989, ch. 122, par. 29-1 et seq.).

SOURCE: Adopted at 10 Ill. Reg. 19438, effective October 31, 1986; amended at 10 Ill. Reg. 21675, effective December 11, 1986; amended at 12 Ill. Reg. 4147, effective February 5, 1988; amended

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at 13 Ill. Reg. 7731, effective May 8, 1989; amended at 16 Ill. Reg. 10213, effective June 10, 1992

NOTE: Capitalization denotes statutory language.

## SUBPART A: SCHOOL REIMBURSEMENT

## Section 120.10 Definitions

"Buildings" - A district leased, leased/purchased or owned structure or portion of a structure that houses pupil transportation vehicles and/or equipment used for servicing the district's pupil transportation vehicles, such as a school bus storage building or pupil transportation maintenance garage.

"Chief mechanic" - The person who directly supervises the school district's mechanics and maintenance personnel for pupil transportation vehicles and who also performs the duties of school bus mechanic when necessary.

"Contract" - A written agreement between two parties, for a specific period of time and amount for compensation, that is enforceable by law.

"Contractual pupil transportation service" - Pupil transportation services provided for a set fee under a contract with an independent carrier.

"District owned and operated pupil transportation service" - Pupil transportation service provided by a school district that owns and operates the approved safety inspected vehicle(s), exercises managerial control over facilities and personnel used in the pupil transportation service, and also employs and supervises the school bus driver(s).

"Equipment" - Items, other than vehicles, costing \$500 or more and having a useful life of more than one year.

"Independent Carrier" - An individual, partnership, corporation, firm, organization, association or other legal entity not subject to control by a school district, which enters into a contract with a school district to provide pupil transportation services. An entity does not qualify as an independent carrier if



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its contract with the district requires that it do one or more of the following:

employ existing school district drivers, mechanics, and administrative and clerical personnel;

pay salaries as stipulated by the school district;

employ or discharge employees solely at the discretion of the school district;

employ specific types and numbers of administrative personnel.

"Lease" - A written contract between two parties whereby the lessee agrees to pay the lessor a specified sum of money for the use of the lessor's transportation equipment, building, land and/or vehicles for a specific period of time with no option to purchase.

"Lease/purchase agreement" - A written contract between two parties whereby the lessee agrees to pay the lessor a specified sum of money for the use of the lessor's transportation equipment, building, land and/or vehicles for a specific period of time, and the contract contains a clause permitting the lessee the option to purchase the equipment and/or vehicles at a specified price within a specified period of time.

"Materials, parts, and supplies" - Items costing less than \$500 or having a useful life of one year or less.

"Principal cost or capital cost" -

For purchased vehicles, equipment, land and/or buildings/property buildings the principal cost is the cash cost (list price less any discount, revenue from sale of district-owned item, and/or trade-in allowance) plus the prior year's undepreciated balance of the traded traded/sold district-owned vehicle, equipment, land or buildings/property building excluding all financing charges whether explicit or implicit.

For leased or leased/purchased vehicles, equipment, land and/or buildings/property buildings the principal cost is the fair market

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value of the vehicle, equipment, land and/or building/property building at the time of acquisition.

"Prorated cost" - A cost incurred for multiple functions. In accounting for such cost, the total cost shall be prorated on a verifiable basis among the appropriate account function codes.

"Pupil transportation vehicles" - School buses and other vehicles used for transporting pupils.

"School bus driver" - A person who possesses a valid school bus driver's permit, and drives a pupil transportation vehicle to transport pupils.

"School bus maintenance personnel" - Individuals whose duties are to maintain the district owned or operated pupil transportation vehicles.

"School day" - THAT PERIOD OF TIME WHICH THE PUPIL IS REQUIRED TO BE IN ATTENDANCE AT SCHOOL FOR INSTRUCTIONAL PURPOSES [Section 29-5 of the School Code (Ill. Rev. Stat. 1989, ch. 122, par. 29-5)].

"Site improvement" - Any addition or improvement to a site leased, leased/purchased, or owned that is directly related to the district pupil transportation services, including but not limited to, underground fuel storage tanks.

"Transportation Fund" - An accounting entity as described in Section 17-8 of the School Code (Ill. Rev. Stat. 1987, ch. 122, par. 17-8), to account for revenue and expenditures related to pupil transportation services.

"Transportation related building and building maintenance costs" - The portion of depreciation of buildings and site improvements and costs of operation and maintenance of buildings and site improvements directly related to a school district's pupil transportation program. These costs are chargeable to and paid from the Educational Fund or Operations, Building and Maintenance Fund as prescribed in Section 17-7 of the School Code (Ill. Rev. Stat. 1987, ch. 122, par. 17-7).



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"Transportation supervisory salary costs" - That portion of the salary and related employee benefits of school district employee(s) who are documented as supervising a school district's pupil transportation programs (Regular, Vocational, Special Education and Nonreimbursable). For districts that do not employ a full or part-time transportation supervisor, a superintendent's/director of special education's salary and related employee benefits shall be prorated as detailed in Section 120.80(b)(3) of this Part. These salary and related employee benefit costs shall be paid from the Transportation Fund.

"Useful life" - The period of time during which the item is expected to be suitable for pupil transportation service.

(Source: Amended at 16 Ill. Reg. 10213, effective June 10, 1992)

#### Section 120.30 Pupil Transportation Services Eligible for Reimbursement

Pupil transportation services eligible for reimbursement are listed below:

##### a) Regular Pupil Transportation Services

- 1) Transportation services provided for pupils residing at a distance of one and one-half miles or more from the attendance center to which they are assigned.
  - A) THE DISTANCE SHALL BE MEASURED FROM THE EXIT OF THE PROPERTY WHERE THE PUPIL RESIDES TO THE POINT WHERE PUPILS ARE NORMALLY UNLOADED AT THE ATTENDANCE CENTER TO WHICH THEY ARE ASSIGNED (Section 29-3 of the School Code).
  - B) IF A PUPIL IS AT A LOCATION WITHIN THE SCHOOL DISTRICT OTHER THAN HIS/HER RESIDENCE FOR CHILD CARE PURPOSES AT THE TIME FOR TRANSPORTATION TO AND/OR FROM SCHOOL, THAT LOCATION MAY BE CONSIDERED FOR PURPOSES OF DETERMINING THE 1 1/2 MILES FROM THE SCHOOL ATTENDED (Section 29-5 of the School Code).
  - C) SUCH SCHOOL BOARD MAY COMPLY WITH THE PROVISIONS OF THIS SECTION BY PROVIDING FREE

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TRANSPORTATION FOR PUPILS TO AND FROM AN ASSIGNED SCHOOL AND A PICK-UP POINT LOCATED NOT MORE THAN ONE AND ONE-HALF MILES FROM THE HOME OF EACH PUPIL ASSIGNED TO SUCH POINT (Section 29-3 of the School Code).

- 2) Transportation services provided for pupils residing within a distance of one and one-half miles from the attendance center to which they are assigned from pickup points at the beginning of the school day and back again at the close of the school day, effective on the date that the Illinois Department of Transportation grants written approval pursuant to 92 Ill. Adm. Code 556 (Rules on Transporting Pupils Where Walking Constitutes a Serious Safety Hazard) that a serious safety hazard exists due to vehicular traffic, for specific areas and specific ages.

- 3) Transportation services provided for nonpublic school pupils when pupil transportation services for the nonpublic school pupils are provided on the same basis as the transportation services for public school pupils as provided in Section 29-4 of the School Code (117-Rev-Stat--1985, ch--122, par--29-4).

- 4) Transportation services provided to a pupil who is required for disciplinary reasons to serve a detention period either before or after the school day.

- 5) Transportation which is provided prior to or following voluntary, extracurricular and/or cocurricular activities, including sport practices, club meetings, drama rehearsals, or choral and band practices where such activities are scheduled before or after the school day, qualifies as transportation provided at the beginning or end of the school day and is therefore subject to reimbursement.

- 6) Transportation services provided for pupils between attendance centers during the school day. This includes transportation of vocational pupils between attendance centers or a building or other trades skill development site of less than one and one-half miles.



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b) Vocational pupil transportation services provided during the school day for vocational pupils transported one and one-half miles or more one way from their assigned attendance center to a vocational program located at:

- 1) An area vocational center;
- 2) Another school district; or
- 3) A building or other trades skill development site.

c) Special education pupil transportation services, including field trips, provided for special education pupils in accordance with Sections 14-7.02 and 14-13.01(b) of the School Code (111-Rev-Stat-19857 ch-122-par-14-7-02-and-14-13-01(b)) and with 23 Ill. Adm. Code 226 (Special Education). This includes field trips (community based instruction) when approved by the district's state approved director of special education as defined in 23 Ill. Adm. Code 226.

(Source: Amended at 16 Ill. Reg. 10213, effective June 10, 1992)

Section 120.40 Pupil Transportation Services Not Eligible for Reimbursement

Pupil transportation services not delineated in Section 120.30 of these rules are not eligible for reimbursement. Examples of these include the following:

- a) Pupil transportation services provided under Section 29-3.1 of the School Code to take participants or spectators to or from athletic contests, academic contests, field trips, extracurricular and/or curricular activities;
- b) Transportation services provided for pupils at times other than at the beginning or end of the school day, except as provided in Section 120.30;
- c) Pupil transportation services to the extent they are funded by other state or federal programs;
- d) Transportation services provided for regular public and nonpublic school pupils residing less than one and one-half miles from their assigned attendance center for

which there is no safety hazard approval by the Department of Transportation (costs of these services shall be determined using the formula detailed in Section 120.100(a)(1)); and

e) ~~Transportation services provided for pupils to vocational programs as set forth in Section 120.30(b) less than one and one-half miles from their assigned attendance center; and~~

e) ~~Special transportation not approved in accordance with Sections 14-7.02 and 14-13.01(b) of the School Code and 23 Ill. Adm. Code 226 (Special Education).~~

(Source: Amended at 16 Ill. Reg. 10213, effective June 10, 1992)

Section 120.50 Reimbursable Direct Operating Costs

Reimbursable direct operating costs are listed below:

a) District owned and operated pupil transportation services, including districts which make payments to entities which do not qualify as independent carriers.

- 1) THE COST OF PHYSICAL EXAMINATIONS FOR SCHOOL BUS DRIVERS REQUIRED FOR THEIR EMPLOYMENT (Section 29-5 of the School Code) pursuant to 23 Ill. Adm. Code 275 (Pupil Transportation) PURSUANT TO 23-23 ILL-ADM-CODE-275-(PUPIL-TRANSPORTATION).

- 2) Salaries and/or wages for the following employees:

- A) School bus driver(s);
- B) School bus maintenance personnel;
- C) Chief mechanic;
- D) Special education attendants or aides for that portion of time they assist special education pupils, i.e., for transit time only; and
- E) Transportation supervisory salary costs when paid from the Transportation Fund as set forth in Section 120.90(b) and (c).



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- 3) The cost of the following benefits for the employees enumerated in subsection (a)(2) above (if proration is necessary for salaries and/or wages, benefits shall be prorated in the same manner):
- A) Health insurance;
  - B) Life insurance;
  - C) Dental insurance;
  - D) ~~Employee's share of municipal~~ Employee's share of teacher ~~Municipal~~ retirement contribution, if paid by the employer from the Transportation Fund as part of the transportation supervisory salary costs; and
  - E) ~~Employee's share of teacher~~ Teacher retirement contributions if paid by the employer from the Transportation Fund as part of the transportation supervisory salary costs.
- 4) Payments made to other school districts for providing pupil transportation services and expenditures consistent with these rules.
- 5) Contractual payments made to other agencies for computerized bus scheduling when approved under Section 120.120.
- 6) Payments made for fuel, oil, tires, and other supplies that are necessary for the operation of pupil transportation vehicles.
- 7) The total cost of converting school bus gasoline engines to more fuel efficient engines or to engines which use alternate energy sources.
- 8) Expenditures (according to a school district's written travel reimbursement policies) for travel to workshops or meetings conducted by the regional superintendent or the State Superintendent of Education designed to improve the driving skills of school bus drivers.

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- 9) Expenditures for contractual maintenance services including materials, parts, supplies and labor necessary for the operation of pupil transportation vehicles.
- 10) Expenditures for lease agreements for pupil transportation vehicles, for lease/rental of less than 30 days.
- 11) Expenditures for insurance, license plates, and inspection fees pertaining to pupil transportation vehicles.
- 12) Expenditures for the rental of pupil transportation equipment.
- 13) Transportation related ~~building~~ building building, land and building maintenance costs. The prorated costs of operation and maintenance of buildings, as set forth in Section 120.90(g), when directly related to pupil transportation services including:
- A) Utility costs;
  - B) Custodial supplies and services;
  - C) Insurance for building(s) and/or for site improvement(s);
  - D) Security services;
  - E) Telephone charges incurred for the transportation program; and
  - F) Lease or rental of ~~property~~ land or buildings for storing or maintaining transportation vehicles when leased for less than 30 days.
- b) Contractual pupil transportation services
- 1) The cost of contractual pupil transportation services, which shall be limited to the following types:
    - A) Payments to independent carriers;
    - B) Payments to parents, guardians, or adult residents of the district for transporting



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special education pupils only, when such transportation is provided in accordance with Sections 14-7.02 and 14-13.01(b) of the School Code (Ill. Rev. Stat. 1985, ch. 122, pars. 14-7.02 and 14-13.01(b)) and the provisions of Special Transportation in 23 Ill. Adm. Code 226 (Special Education).

prorated principal cost based on the following formula:

(Principal costs divided by 12 months) X number of months in possession of the district = prorated principal cost.

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- 2) Contractual payments made to other agencies for computerized bus scheduling when approved under Section 120.120.
- 3) Payments made for fuel, oil, tires, and other supplies that are as necessary for the operation of pupil transportation vehicles as the items specified in this Section.
- 4) Transportation supervisory salary costs as allowed in Section 120.50(a)(2)(E)7 and ~~Part (a)(3)(D) and (E).~~
- 5) Transportation related building, land and building maintenance costs as allowed in Sections 120.50(a)(13), and 120.60(d) and (e) ~~of this Part.~~

(Source: Amended at 16 Ill. Reg. 10213, effective June 10, 1992.)

## Section 120.60 Reimbursable Annual Depreciation Allowances

- a) Annual depreciation allowances shall be based on the principal cost of pupil transportation vehicles or equipment for items costing \$500 or more and with a useful life in excess of one year.

- 1) When a vehicle and/or equipment costing \$500 or more is purchased, leased for 30 days or more, or leased/purchased any time during the fiscal year, a full year's depreciation is claimable for that year.
- 2) When a vehicle and/or equipment is sold, destroyed, or traded-in any time during the fiscal year, no depreciation may be claimed for that year.
- 3) Vehicles and/or equipment leased for 30 days or more, leased/purchased or purchased, and sold or destroyed within the same fiscal year must use a

b)

Pupil transportation vehicles that are purchased, leased/purchased, or leased for 30 days or more by the district shall be subject to a 20 percent annual depreciation allowance based on the principal cost.

c)

Pupil transportation equipment not installed in the vehicle that is purchased or leased/purchased or leased for more than 30 days by the district shall be subject to a ten percent annual depreciation allowance based on the principal cost.

d)

The depreciation of buildings/property (including additions to existing buildings) that are purchased, leased/purchased, or leased for more than 30 days, is based on an annual depreciation rate of ~~2~~ 2 percent of the principal cost. Building improvements are depreciated at a rate of 5 percent of the principal cost.

e)

A ~~Repairs~~ repair or modifications modification to a pupil transportation vehicles vehicle costing \$500 or more per item and extending the useful life of the vehicle by more than one year must be capitalized and shall be subject to a 33 1/3 percent annual depreciation allowance.

f)

Depreciation of site improvement(s) costing \$500 or more and having a useful life of more than one year, made to the building(s) or property land used for pupil transportation purposes, is subject to a five percent annual depreciation allowance based on the principal cost, including installation fees.

g)

Depreciation of two-way transportation vehicle communication systems costing \$500 or more per office or bus is based on an annual rate of 10 percent of the principal cost.

h)

Depreciation of pupil monitoring equipment, including video cameras costing \$500 or more per bus, installed



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on school buses is based on an annual rate of 33 1/3 percent of the principal cost.

- i) Depreciation of a service vehicle (such as a tow truck), costing \$500 or more, that is used to service pupil transportation vehicles is based on an annual rate of 10 percent of the principal cost.

(Source: Amended at 16 Ill. Reg. 102113, effective June 10, 1992.)

## Section 120.90 Cost Proration Related to Pupil Transportation

- a) When costs or depreciation allowances are to be prorated among pupil transportation services and other nontransportation related activities, the categories used shall constitute:

- 1) Regular pupil transportation services;
- 2) Vocational pupil transportation services;
- 3) Special education pupil transportation services;
- 4) Nonreimbursable pupil transportation services; and
- 5) Nontransportation related activities.

- b) If an employee performs multiple job duties (e.g., district/cooperatives employing a part-time transportation supervisor/director) and at least one job duty is reimbursable under pupil transportation, the salary and district paid employee benefits for such employee shall be prorated to each type of job duty based on the ratio of the number of hours worked in each job to the total hours worked.

- c) The formula for computing the district superintendent and/or joint agreement director expenses as permitted in Section 120.50 (a)(2)(E), 120.50(a)(3), or 120.80(b)(3) is listed below.

- 1) The district superintendent allowable expenditures shall be prorated based on the ratio of the total transportation fund expenditures to the district's total operating expenditures of all funds. The district's total operating expenditures are to be calculated in the Illinois Local Education Agency

Annual Financial Report pursuant to 23 Ill. Adm. Code 110 (Program Accounting Manual).

- 2) The joint agreement/cooperative director allowable expenditures shall be prorated based on the ratio of the transportation fund total expenditures/disbursements and transfers to the joint agreement/cooperative total joint agreement/cooperative total joint agreement/cooperative total joint agreement/cooperative total expenditures/disbursements and transfers are to be calculated in the Joint Agreement Annual Financial Report.

- d) Nonpersonnel-pupil-transportation-services-costs-shall be-prorated-based-on-the-ratio-of-miles-traveled-in-each-category-to-the-total-miles-traveled-in-all-categories. District owned/operated transportation systems must prorate all expenses based on the ratios of miles traveled in each category to the total miles traveled in all categories operated by the district. This method of proration includes Salaries and Employee Benefits, unless the district can document the number of hours worked per category to the total number of hours worked per person.

- e) Payments for all contractual transportation services must be prorated based on miles across contract categories, with the exception of the following:

- 1) Contracts with a company which provides only one type of transportation service;
- 2) Payments to parents/guardians who provide transportation;
- 3) Payments to a contractor by a district for costs that are part of a contractual agreement between a cooperative or joint agreement and the contractor;
- 4) Transportation expenses related to services provided by taxi/limousine companies;
- 5) Expenses related to a district contracting with another district for one type of transportation service; and



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- 6) Expenses related to services provided by mass transit systems.
- f) If a pupil transportation vehicle is used for more than one category of transportation service, the depreciation allowance shall be prorated based on the ratio of the number of miles traveled in each category of service to the total miles traveled in all categories.
- g) Indirect cost shall be prorated based on the ratio of the number of miles traveled in each category to the total miles traveled in all categories.
- h) Expenditures charged to the Operations/Maintenance Operations and Maintenance Fund and/or the Education Fund that are directly related to the Pupil Transportation Program Services may be claimed as direct cost reimbursement from the Transportation Program. When the district or joint agreement cannot substantiate the portion of the cost applicable to the pupil transportation program, the expenditures shall be allocated according to the square footage of the bus garage divided by the total square feet of all the district owned buildings and that result multiplied by the total expenditures of each allowable cost. The transportation portion of each allowable cost that is under \$500 or which has a useful life less than one year is claimed under Section 120.50(a)(13).

(Source: Amended at 16 Ill. Reg. 10213, effective June 10, 1992.)

## ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

## NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: Procedures to be Followed in the Performance of Annual Inspections of Motor Vehicle Exhaust Emissions
- 2) Code Citation: 35 Ill. Adm. Code 276
- 3) Section Number: Adopted Action: Section Number: Adopted Action:
- |         |             |         |           |
|---------|-------------|---------|-----------|
| 276.101 | Amendment   | 276.309 | Amendment |
| 276.102 | Amendment   | 276.310 | Amendment |
| 276.204 | Amendment   | 276.311 | Amendment |
| 276.206 | New Section | 276.401 | Amendment |
| 276.301 | Amendment   | 276.402 | Amendment |
| 276.303 | Amendment   | 276.701 | Amendment |
| 276.304 | Amendment   | 276.702 | Amendment |
| 276.307 | Amendment   | 276.703 | Amendment |
| 276.308 | New Section |         |           |
- 4) Statutory Authority: Vehicle Emissions Inspection Law (Ill. Rev. Stat. 1989, Ch. 95 1/2, Par. 13A-101 et. seq.)
- 5) Effective Date of Adopted Amendments: June 15, 1992
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these Adopted Amendments contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: June 15, 1992
- 9) Notice of Proposal Published in Illinois Register: 35 Ill. Adm. Code 276: September 20, 1991 (15 Ill. Reg. 13607)
- 10) Has JCAR issued a Statement of Objections to these Adopted Amendments: No
- 11) Difference between proposal and final version: No substantive changes were made to the text of the Amendment.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes



ENVIRONMENTAL PROTECTION AGENCY  
NOTICE OF ADOPTED AMENDMENT(S)  
TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE B: AIR POLLUTION  
CHAPTER II: ENVIRONMENTAL PROTECTION AGENCY

PART 276  
PROCEDURES TO BE FOLLOWED IN THE  
PERFORMANCE OF ANNUAL INSPECTIONS OF  
MOTOR VEHICLE EXHAUST EMISSIONS

SUBPART A: GENERAL PROVISIONS

Section	Purpose
276.101	Definitions
276.102	

SUBPART B: VEHICLE EMISSION INSPECTION PROCEDURES

Section	Purpose
276.201	General Description of Vehicle Emission Inspection Procedures
276.202	Pollutants to be Tested
276.203	Dilution
276.204	Exhaust Emission Test Procedures
276.205	Vehicle Inspection Sequence
276.206	Tamper Check Procedures

SUBPART C: STICKER ISSUANCE AND DISPLAY

Section	Purpose
276.301	General Requirements
276.302	Determination of Affected Counties
276.303	Sticker Design and Content
276.304	Initial Emission Inspection Stickers
276.305	Exempt Stickers
276.306	Renewal Stickers
276.307	Temporary Stickers
276.308	Waiver-Stickers Corrected Inspection Stickers
276.309	Sticker-Display Waiver Stickers (Renumbered)
276.310	Petition-to-Change-Test-Dates Sticker Display (Renumbered)
276.311	Petition to Change Test Dates (Renumbered)

SUBPART D: WAIVER REQUIREMENTS

Section	Purpose
276.401	General Requirements
276.402	Low Emissions Tuneups
276.403	Dental or Issuance of Waiver

SUBPART E: EXHAUST GAS ANALYZER SPECIFICATIONS

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF ADOPTED AMENDMENTS

13) Will these Adopted Amendments replace Emergency Amendments currently in effect? No

14) Are there any Amendments pending on this Part? No

15) Summary and Purpose of Adopted Amendments:

35 Ill. Adm. Code 276

Under this rulemaking regulated vehicles are subject to a tamper check in addition to an exhaust emission test. The tamper check (i.e. catalytic converter, fuel inlet restrictor and gas cup) is already required by statute (Ill. Rev. Stat. 1989, Ch. 95 1/2, Par. 13A-101 et. seq.). Minimum low emission tuneups now include inspection of the vehicle air pump. The minimum number of vehicles necessary to apply for a fleet testing permit is reduced down from 25 vehicles to 15 vehicles.

16) Information and questions regarding these Adopted Amendments shall be directed to:

Name: William Seltzer  
Division of Legal Counsel

Address: Illinois Environmental Protection Agency  
P.O. Box 19276  
Springfield, Illinois 62794-9276

Telephone: (217) 524-3333

The full text of the Adopted Amendments begins on the next page:



## ENVIRONMENTAL PROTECTION AGENCY

## ENVIRONMENTAL PROTECTION AGENCY

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General Requirements  
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## SUBPART F: EQUIPMENT MAINTENANCE AND CALIBRATION

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276.801  
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## SUBPART I: NOTICES

Section  
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276.902  
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276.904

General Requirements  
Initial Notice  
First Warning Notice  
Second Warning Notice

AUTHORITY: Implementing and authorized by the Vehicle Emissions Inspection Law (Ill. Rev. Stat. 1991, ch. 95 1/2, pars. 13A-101, et seq.).

SOURCE: Adopted at 10 Ill. Reg. 13954, effective August 13, 1986; amended at 16 Ill. Reg. 10230, effective June 15, 1992.

## SUBPART A: GENERAL PROVISIONS

## Section 276.101 Purpose

This Part establishes specific procedures to be followed in the performance of annual inspections of motor vehicle exhaust emissions.

(Source: Amended at 16 Ill. Reg. 10230, effective June 15, 1992)

## Section 276.102 Definitions

- a) Except as hereinafter stated and unless a different meaning of a term is clear from its context, the definitions of terms used in this Part shall be the same as those used in the Environmental Protection Act (Ill. Rev. Stat. 19851991, ch. 111 1/2, par. 1001 et seq.) and the Vehicle Emissions Inspection Law (Ill. Rev. Stat. 19851991, ch. 95 1/2, par. 13A et seq.).
- b) The following definitions apply to this part:

"Accuracy": The combination of bias and precision errors, technically defined as uncertainty, that quantify the differences between a measured and true value.

"Affected County": Any county or portion thereof, as defined in Section 13A-102 of the Vehicle Emissions Inspection Law.

"Agency": Illinois Environmental Protection Agency

"Assigned Test Month": Month allocated by the Agency to a for testing a vehicle. ~~which is the earliest month in which the vehicle may be inspected.~~ The first day of the "Assigned Test Month" shall be 4 months prior to the sticker "Expiration Date".

"Average Exhaust Gas Concentration": Integrated average of analyzer response over a 5-15 second sampling period.

"Calibration": The act of defining or checking the full response curve of the exhaust gas analyzer.

"Calibration Gas": A gas of known concentration used to establish the response curve of the exhaust gas analyzer.

"Catalytic Converter": Device designed to control exhaust emissions using chemical catalysts to oxidize unburned hydrocarbons and carbon monoxide into water vapor and carbon dioxide. Three-way catalytic converters also control oxides of nitrogen (NOx) emissions by catalytically reducing NOx to nitrogen and oxygen.

"Drift": The amount of change in analyzer reading over a period of time. Zero drift refers to the change of zero reading. Span drift refers to a change in the reading at a specified span gas calibration point.

"Exhaust Gas Analyzer": A device that has the capability to



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identify unknown concentrations of particular constituents in motor vehicle exhaust gases by comparison with known concentrations of analytical gases.

"Expiration Date": Deadline for having a vehicle inspected and obtaining the appropriate sticker.

"Fleet Vehicle": Any non-exempt vehicle registered with the Agency for the purpose of fleet self-testing.

"Fuel Inlet Restrictor": A component or design feature of the vehicle gasoline tank filler inlet which prevents the insertion of a gasoline pump nozzle spout having an outside diameter of not less than 0.930 inch but allows the insertion of a nozzle spout having an outside diameter of no more than 0.840 inch.

"HC Hangup": Hydrocarbons which cling to the surface of the analyzer gas sampling stream causing errors in hydrocarbon readings.

"Heavy Duty Vehicle": A motor vehicle rated by the manufacturer at more than 8000 pounds gross vehicle weight.

"High Idle": Vehicle operating condition with engine disconnected from an external load (placed in either neutral or park) and operating at a speed of 2500  $\pm$  300 RPM.

"Idle": Vehicle operating condition with the engine disconnected from an external load and operating at minimum throttle.

"Initial Inspection Sticker": Sticker issued to the owner of a vehicle that has not been tested because such vehicle was not previously subject to inspection, but has become subject to inspection in accordance with the Vehicle Emissions Inspection Law, as amended. (Ill. Rev. Stat. 1991, ch. 95 1/2, par. 13A-101 et seq.).

"Interference": Exhaust gas analyzer read-out errors caused by instrument response to non-interest gases typically occurring in vehicle exhaust.

"Light Duty Truck": A motor vehicle rated by the manufacturer at 8000 pounds gross vehicle weight or less, designed for carrying more than 10 ten persons or designed for the transportation of property, freight or cargo, or a derivative of such a vehicle.

"Light Duty Vehicle": Passenger cars designed to carry not more than 10 ten persons.

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National Bureau of Standards (NBS) Gas": Standard gas maintained or made available by the National Bureau of Standards for the purpose of determining the accuracy of calibration gases.

"Non-exempt Vehicle": Any vehicle subject to emission inspections under the Vehicle Emissions Inspection Law.

"Non-fleet Vehicle": Any non-exempt vehicle except for vehicles registered with the Agency for the purpose of fleet self-testing.

"Official Inspection Station": A vehicle emission inspection facility operated by the Agency or the Agency's Contractor for the purpose of conducting emission inspections on non-fleet vehicles.

"Private Official Inspection Station": A vehicle emission inspection facility operated by a registered owner or lessee of twenty-five (25) fifteen (15) or more non-exempt fleet vehicles.

"Span Gas": A gas of known concentrations which is used to check or adjust the analyzer response characteristics to those determined by the calibration gases. Span gas used shall be a blended gas containing propane, carbon monoxide and carbon dioxide in nitrogen meeting the following specification:

Low range gas:

HC: 200 - 800 ppm (propane)

CO: 1.0 - 2.0%

CO(2): 6 - 10%

High range gas:

HC: 80% of full scale  $\pm$  5%

CO: 80% of full scale  $\pm$  5%

CO(2): 6 - 10%

"State Inspector": An Agency employee who is authorized to conduct waiver inspections and approve or disapprove applications for waiver.

"Vehicle Inspection Report": A report issued to the motorist indicating the results of an exhaust emission inspection or waiver determination.

"Waiver": A suspension of the requirement that a non-exempt vehicle comply with exhaust emission standards after two attempts to do so, provided the statutory requirements in Ill. Rev. Stat. 19851991, ch. 95 1/2, par. 13A-106(d), as amended, are met.

"Waiver Inspection": An inspection conducted by a State Inspector to determine waiver eligibility. Such inspection



includes verification of the low emission tune-up, review of test results and repair documentation and visual inspection of a vehicle for verification of repairs and presence of a properly functioning catalytic converter and fuel inlet restrictor and properly functioning fuel cap.

(Source: Amended at 16 Ill. Reg. 10230, effective June 15, 1992)

#### SUBPART B: VEHICLE EMISSION INSPECTION PROCEDURES

##### Section 276.204 Exhaust Emission Test Procedures

- a) 2500 RPM/Idle Test  
With the exception of those vehicles specified in paragraph (b) below, all vehicles shall be inspected using the 2500 RPM/Idle Test procedure as set forth in Section 276.205(a).
- b) Engine Restart 2500 RPM/Idle Test Alternative  
All 1981 and later model year light duty vehicles and light duty trucks manufactured by Ford Motor Company and all 1984 and 1985 non fuel-injected Honda Precludes shall be inspected using the engine restart 2500 RPM/Idle test procedure as set forth in Section 276.205(b).

#### c) General Requirements

- 1) Vehicles with apparent leaks of fuel, oil, coolant, or exhaust shall not be tested.
- 2) Vehicles with missing tail pipe sections which would prohibit full insertion of an analyzer probe shall not be tested.
- 3) Vehicles shall be tested with their engines and emissions control systems at normal operating temperatures and not overheating (as indicated by gauge, warning light, and/or boiling radiator).
- 24) Vehicles shall be tested without any accessories in operation.
- 35) Vehicles shall be operated tested with their transmissions in neutral.
- 46) For vehicles with multiple tailpipes, separate test results from each tailpipe shall be numerically averaged for each pollutant sampled unless equipment capable of simultaneously sampling multiple tailpipes is utilized.

(Source: Amended at 16 Ill. Reg. 10230, effective June 15, 1992)

##### Section 276.206 Tamper Check Procedures

Beginning July 1, 1991, all vehicles of model year 1975 or later shall have a tamper check performed as part of the emission inspection. The tamper check shall consist of the following elements:

- a) Catalytic Converter Inspection

Mirrors will be utilized to visually determine the presence and condition of a catalytic converter, if required under federal law to be installed on the vehicle at the time of manufacture. If a required catalytic converter is missing or does not appear to be correctly installed and properly functioning, the vehicle will be deemed to have failed the emission inspection.

#### b) Fuel Cap Inspection

Visual inspection will be utilized to determine the presence and type of fuel cap. If the fuel cap is missing, the wrong size, or is a vented fuel cap, the vehicle will be deemed to have failed the emission inspection.

#### c) Fuel Inlet Restrictor

Visual inspection will be utilized to determine the presence of a fuel inlet restrictor, if required under federal law to be installed on the vehicle at the time of manufacture. If the fuel inlet restrictor is present, its diameter will be measured by attempting to insert a .950 + 0.015 inch diameter gauge into the fuel inlet restrictor. If the gauge can be inserted through the restrictor plate, the fuel inlet restrictor is considered to be inoperable. If a required fuel inlet restrictor is missing or inoperable, the vehicle will be deemed to have failed the emission inspection. If the fuel inlet restrictor is missing or inoperable, the vehicle's catalytic converter is considered to be inoperable.

(Source: Added at 16 Ill. Reg. 10230, effective June 15, 1992)

#### SUBPART C: STICKER ISSUANCE AND DISPLAY

##### Section 276.301 General Requirements

- a) The owners of all vehicles subject to inspection shall display thereon a valid unexpired emission inspection sticker of the type and in the manner described in this Section.
- b) The owner of every vehicle which receives an emission inspection sticker shall be required to have the vehicle inspected prior to the expiration date of the sticker, and shall be requested to have the vehicle inspected prior to the end of its assigned test month.
- c) Failure to comply with the provisions of the Vehicle Emissions Inspection Law (Ill. Rev. Stat. 1991, ch. 95 1/2, par. 13A-101 et seq.) shall subject the owner of the vehicle to the enforcement provisions thereof.

(Source: Amended at 16 Ill. Reg. 10230, effective June 15, 1992)

##### Section 276.303 Sticker Design and Content

All emission inspection stickers required for display under this Section shall



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be of similar size and shape. Each sticker, except Exempt Stickers, shall, at a minimum, include the following information in a clear and recognizable fashion:

- a) Sticker expiration date,
- b) required assigned test month,
- c) a unique serial number, and
- d) an indication of the type of sticker as specified in Sections 276.304, 276.305, 276.306, 276.307, and 276.308.

(Source: Amended at 16 Ill. Reg. 10230, effective June 15, 1992)

## Section 276.304 Initial Emission Inspection Stickers

a) The Agency or its designee shall send initial emission inspection stickers to owners of all vehicles it has determined as being subject to the vehicle emissions inspection law. The Agency will schedule sticker expiration dates so as to result in approximately equal expirations to occur each month and may use geographic data contained on individual vehicle registration records to schedule early expirations to coincide with those areas where construction of test facilities will most favorably accommodate those persons so scheduled. Each initial emission inspection sticker shall be accompanied by a clear statement from the Agency that based on vehicle records, the owner is subject to the emission inspection requirements of Section 276.304 of the Vehicle Emission Inspection Law. A form accompanying the explanation will be provided to the vehicle owner to allow for correction of any information relied upon by the Agency.

b) For purposes of issuance of initial emission inspection stickers, the acquisition date of a previously registered vehicle is considered to be the last day of the month in which new registration data was received by the Agency or its designee from the Office of the Secretary of State.

c) The owner of every vehicle which receives an initial emission inspection sticker shall be required to have the vehicle inspected prior to the expiration date of the sticker, and shall be requested to have the vehicle inspected during its assigned test month. In no event shall a vehicle be inspected prior to its assigned test month. Failure to comply with the provisions of the Vehicle Emissions Inspection Law shall subject the owner of the vehicle to the enforcement provisions of said law.

d) At the time of its acquisition by a new owner, the Agency or its designee may issue an initial emission inspection sticker for any vehicle subject to inspection which does not have a currently valid emission inspection sticker or has a currently valid emission inspection sticker scheduled to expire within 30 days of acquisition. For new vehicles, the initial inspection sticker shall expire on the last day of the sixteenth complete calendar month after the acquisition of the vehicle.

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- g) An initial inspection sticker issued for any other vehicle shall expire on the last day of the fourth complete calendar month after the date of the acquisition of the vehicle (Ill. Rev. Stat. 1985, ch. 95-1/2, par. 13A-104).

The Initial Inspection Sticker enables a vehicle not previously subject to inspection to display a valid sticker pending such vehicle's initial emission inspection. Such sticker shall be issued as follows:

- a) The Agency or its designee shall send Initial Emission Inspection Stickers to owners of all vehicles initially subject to inspection no less than fifteen days prior to the first day of the month in which the vehicle is scheduled for its initial inspection. Each Initial Emission Inspection Sticker shall expire on the last day of the third month following the month assigned by the Agency for the initial inspection.

b) Each Initial Emission Inspection Sticker shall include a notice of the assigned month of the initial emission inspection and shall be accompanied by a clear statement from the Agency that, based on vehicle records, the vehicle is subject to the emission inspection requirements of the Vehicle Emissions Inspection Law. A form accompanying the explanation will be provided to the vehicle owner to allow for correction of any information relied upon by the Agency.

(Source: Amended at 16 Ill. Reg. 10230, effective June 15, 1992)

## Section 276.307 Temporary Stickers

a) At the time of its acquisition the Agency is notified by the Secretary of State of a vehicle's registration by a new owner, the Agency or its designee may issue a Temporary Emission Inspection Sticker for any vehicle subject to inspection which does not have a currently valid emission inspection sticker, and for which an Initial Emission Inspection Sticker has already been issued.

b) No Temporary Emission Inspection Sticker shall be effective for a vehicle which has a valid unexpired sticker.

c) Each Temporary Emission Inspection Sticker shall bear the following information:

- 1) Effective date
- 2) Expiration date (the last day of the fourth complete calendar month after the effective date)
- 3) The word "TEMPORARY"
- 4) The sticker number of the previously issued sticker for the vehicle to which it is to be affixed.

d) Temporary Emission Inspection Stickers shall only be issued to vehicles which cannot be tested during a period commencing with the first day of the assigned test month and ending with the expiration date upon a claim by an owner that one or more of the following circumstances exists:

- 1) The vehicle is not within a one hundred mile radius of an



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- affected county;  
2) the vehicle is inoperative or necessary repair parts are unavailable;  
3) the vehicle has not complied with the vehicle exhaust emission standards and has not yet received repairs and adjustments for which it is eligible under any emission performance warranty provided pursuant to Section 207 of the Clean Air Act (42 U.S.C. 7401 et seq.); or  
4) the vehicle owner or operator is incapacitated.

c) The Agency or its designee shall assign an emission inspection test date for each vehicle receiving a Temporary Emission Inspection Sticker and shall send notice of such test date to the vehicle owner not less than fifteen days prior to the beginning of the assigned test month.

d) Each Temporary Emission Inspection Sticker shall expire on the last day of the fourth complete calendar month after the date the Agency is notified by the Secretary of State of the registration of the vehicle by a new owner, but not earlier than the end of the second complete calendar year after the vehicle's model year.

(Source: Amended at 16 Ill. Reg. 10230, effective June 15, 1992)

**Section 276.308 Corrected Inspection Stickers**

Vehicles subject to emission inspection and which have an assigned test date may be reassigned to a later test date. Whenever such reassignment is approved by the Agency, the Agency or its designee shall issue a Corrected Inspection Sticker for such vehicle.

a) Corrected Inspection Stickers shall be issued only to vehicles which cannot be tested during a period commencing with the first day of the assigned test month and ending with the expiration date of the current inspection sticker upon a claim by an owner that one or more of the following circumstances exists:

- 1) The vehicle is not within a one hundred mile radius of an affected county;
- 2) The vehicle is inoperative or necessary repair parts are unavailable;
- 3) The vehicle has not complied with the vehicle exhaust emission standards and has not yet received repairs and adjustments for which it is eligible under any emission performance warranty provided pursuant to Section 207 of the Clean Air Act (42 U.S.C. 7401 et seq.); or
- 4) The vehicle owner or operator is incapacitated.

b) Each Corrected Inspection Sticker shall expire on the last day of the third month following the month of the reassigned emission inspection test date.

(Source: Added at 16 Ill. Reg. 10230, effective

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**Section 276.3089 Waiver Stickers**

A waiver sticker shall be issued by the Agency for display on any vehicle which fails a vehicle emission test but successfully complies with the applicable waiver requirements of the Vehicle Emissions Inspection Law and Section 276.401. Each waiver sticker will contain the information indicated in Section 276.303 and the word "WAIVER".

(Source: Renumbered from 276.308 at 16 Ill. Reg. 10230, effective June 15, 1992)

**Section 276.30910 Sticker Display**

- a) Any emission inspection sticker required by this Section shall be affixed to the lower left hand side of the vehicle's windshield as viewed by the driver facing towards the front of the vehicle. Such sticker shall be affixed so as not to obscure the Vehicle Identification Number (VIN) of the vehicles when viewed from the outside. No more than one emission inspection sticker shall be displayed at any time.
- b) Any sticker issued and affixed to a non-exempt vehicle shall not be removed prior to its date of expiration.
- c) Persons engaged in the business of buying and selling vehicles need not maintain valid unexpired stickers on vehicles under their ownership which are not registered under Chapter 3, Article IV of the Illinois Vehicle Code (Ill. Rev. Stat. 1993 1991, ch. 95 1/2, par. 3-100 et seq.), provided that no emission inspection sticker other than an Exempt Sticker shall be removed from such vehicles, whether expired or unexpired.

(Source: Renumbered from 276.309 and amended at 16 Ill. Reg. 10230, effective June 15, 1992)

**Section 276.3101 Petition to Change Test Dates**

Any person who is unable to be tested in the month assigned to him or her, may petition the Agency for a permanent change in the test month and expiration date. Such request shall be granted if the petition includes a signed statement that the vehicle will not be driven in Illinois in the assigned test month and two months thereafter and the reasons therefor. The Agency shall reassign the test month and expiration date and issue appropriate stickers according to the following:

- a) The Agency shall assign an earlier test month and expiration date and issue a new Initial Emission Inspection Sticker unless a request is made too late to assign an earlier test month.
- b) If a later test month and expiration date are required, then the Agency shall change the assigned test month and expiration date and



issue a new initial Emission Inspection Sticker.

(Source: Renumbered and amended at 16 Ill. Reg. 10230, effective June 15, 1992.)

## SUBPART D: WAIVER REQUIREMENTS

## Section 276.401 General Requirements

All vehicles subject to the Vehicle Emissions Inspection Law shall be eligible for a waiver from the vehicle exhaust emission standards upon submission of proof (as outlined in Section 276.402(b)) to a State Inspector of compliance with the following:

- a) The vehicle has failed to comply with the applicable vehicle exhaust emission standards for hydrocarbons (HC, as hexane) and/or carbon monoxide (CO) on its initial inspection; and
  - b) A low emissions tuneup (in accordance with the provisions set forth in Section 276.402) has been performed on the vehicle no more than 30 days prior to the request for waiver; and
  - c) If the vehicle is eligible for coverage under the emission performance warranty provisions of Section 207(b) of the Clean Air Act (42 U.S.C. 7541), the operator of the vehicle presents a written explanation from the person who performed the repairs documenting why such coverage was denied; and
  - d) If the vehicle is a 1975 or later model year, the State Inspector has determined that the vehicle has a properly functioning catalytic converter (if required to be installed under federal law at the time of its manufacture) and, fuel inlet restrictor (if required to be installed under federal law at the time of its manufacture) and a properly functioning gas cap as required by Section 202 of the Clean Air Act (42 U.S.C. 7521); and
  - e) If during the course of a waiver inspection, the State Inspector determines that a 1975 or later model year vehicle's fuel inlet restrictor (as required by Section 202 of the Clean Air Act) is missing or defective, no waiver shall be issued unless the catalytic converter has been replaced with a comparable and properly functioning new or rebuilt catalytic converter and the fuel inlet restrictor has been repaired or replaced; and
  - f) The vehicle has been reinspected and has again failed to comply with the applicable vehicle exhaust emission standards; provided, however, that if the vehicle has already received two reinspections, no further inspection is required.
- g) Notwithstanding anything to the contrary herein, neither a waiver of the vehicle exhaust emission standards nor an emission inspection sticker may issue for a vehicle of model year 1975 or later, subject to the Tamper Check Procedures set forth in Section 276.206, if such vehicle is not equipped with a properly functioning catalytic converter, fuel inlet restrictor and gas cap.

(Source: Amended at 16 Ill. Reg. 10230, effective June 15, 1992.)

## Section 276.402 Low Emission Emissions Tuneups

## a) Minimum Requirements

- 1) All low emissions tuneups shall include inspection of the following vehicle components or systems:

- A) Air cleaners elements,
- B) All other intake restrictions,
- C) Choke mechanism,
- D) Idle speed, ignition dwell, and timing,
- E) Air-fuel mixture,
- F) Sensors and vacuum hoses,
- G) Positive crankcase ventilation (PCV) system,
- H) Exhaust gas recirculation (EGR) system,
- I) Spark plugs and spark plug wires, and
- J) Electronic fuel metering and feedback control system, and
- K) Air pump

- 2) Any of the above components or systems which are found to be operating improperly shall be adjusted, repaired, or replaced, as appropriate.

- 3) A low emission emissions tuneup shall not require a major engine overhaul, including all repairs which require:

- A) access to the combustion chamber (except for spark plug replacement); and/or
- B) complete replacement of the carburetor(s) or fuel injector(s) (except for repair or replacement of carburetor or injector parts).

## b) Proof of Low Emission Emissions Tuneups

Proof of low emission emissions tuneups necessary to satisfy the requirements in Section 276.401(b) shall consist of the following:

- 1) If the low emission emissions tuneup was performed by a mechanic, the operator of the vehicle shall submit a receipt to the Agency setting forth the name and address of the mechanic; the date of the tuneup; a certification by the mechanic that all requirements set forth in Section 276.402(a)(1) have been completed; an itemization of all diagnoses, repairs, adjustments, and part replacements; a statement of cost; and the signature of the mechanic who performed the tuneup.
- 2) If the low emission emissions tuneup was performed by the operator of the vehicle or by a person who is not a mechanic, the operator of the vehicle shall submit a statement to the Agency setting forth the name and address of the person who performed the tuneup; the date of the tuneup; a certification by the operator of the vehicle that all requirements set forth in Section 276.402(a)(1) have been completed; an itemization of all repairs, adjustments, and part replacements; a statement of cost, if any (including receipts for all parts purchased); and the



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signature of the person who performed the repairs.

- 3) For purposes of certification and documentation requirements in subsections (1) and (2) above, all information requested on the reverse side of the Vehicle Inspection Report must be completed.

(Source: Amended at 16 Ill. Reg. 10230, effective June 15, 1992.)

## SUBPART G: FLEET SELF TESTING REQUIREMENTS

## Section 276.701 General Requirements

Any owner or lessee of a fleet of 25 or more non-exempt vehicles may apply to the Agency for a permit to establish and operate a Private Official Inspection Station (fleet inspection station).

(Source: Amended at 16 Ill. Reg. 10230, effective June 15, 1992.)

## Section 276.702 Fleet Inspection Station Permit

The Agency shall issue fleet inspection permits to eligible applicants upon a showing of compliance with the following requirements:

- a) Equipment
 

All fleet inspections shall be conducted utilizing exhaust gas analyzers and tachometers. Exhaust gas analyzers shall meet the requirements set forth in Section 276.501 and Subpart F.

Each inspector shall be required to complete a training course offered by the Agency covering the following topics:

  - 1) I/M rules and regulations
  - 2) Test procedures
  - 3) Analyzer use
  - 4) Analyzer calibration and quality control
  - 5) Data recording, record keeping and submittal.

Authorization shall require a demonstration of proficiency based upon written examination and hands-on demonstration.
- c) General Permit Requirements
  - 1) Permits shall expire two years after the date of issuance.
  - 2) Permits shall not be transferable.
  - 3) Any change in the name and/or address of the permittee or the inspector(s) shall be reported to the Agency in writing within 30 days of the change.
  - 4) A separate permit is required for each fleet inspection facility.
- d) Permit Suspension and Revocation
 

The Agency may suspend or revoke a fleet inspection permit for the following reasons:

  - 1) The permittee has violated any provision of this rule.
  - 2) The permittee has provided false or misleading information in its

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application for a fleet inspection permit.

- 3) The permittee has failed to keep proper records as required by the Agency.
- 4) The permittee has misrepresented any information provided in fleet vehicle lists, vehicle inspection reports, and/or equipment maintenance and calibration reports.

(Source: Amended at 16 Ill. Reg. 10230, effective June 15, 1992.)

## Section 276.703 Fleet Inspection Station Operating Requirements

## a) Vehicle Eligibility

- 1) Prior to any inspection, the permittee shall furnish the Agency with a list of all vehicles for which fleet inspection is requested. The Agency shall provide forms as required to register vehicles for the purpose of fleet inspection.

- 2) The permittee shall notify the Agency in writing in the event that any eligible vehicles are sold or otherwise removed from fleet service. Said notification shall be made within 30 days of the date the vehicle is removed from fleet service.

- 3) Unless authorized by the Agency, vehicles registered pursuant to Section 276.703(a)(2) shall only be inspected at fleet inspection stations.

## b) Inspection Frequency/Scheduling

All eligible fleet inspection vehicles shall be inspected at least once every 12 months in accordance with the schedule set forth in the Vehicle Emissions Inspection Law (Ill. Rev. Stat. 1991, ch. 95 1/2, par. 13A-101 et seq.). Initial inspection schedules for each eligible vehicle are to be developed by the permittee, subject to Agency approval. Upon Agency approval, the inspection dates become compliance deadlines for use in program enforcement. Agency approval shall be based on the availability of personnel to audit the performance of inspections and the ability of the fleet operators to meet the proposed schedule (this will be determined by the number of vehicles to be inspected, exhaust gas analyzers to be used, and the number of inspectors available).

## c) Inspection Reports and Stickers

- 1) A vehicle inspection report Vehicle Inspection Report shall be submitted to the Agency for each vehicle which passes an emissions inspection or qualifies for a waiver. Inspection results shall be reported on forms provided by the Agency. Inspection results shall be submitted to the Agency on or before the scheduled compliance date for each vehicle.
- 2) Following review and processing, the Agency shall issue inspection stickers for all vehicles complying with program requirements. If the Agency determines that a vehicle inspection report is deficient, it shall return the inspection report along with instructions to correct the identified deficiencies.



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- 3) The permittee shall be responsible for the security and accountability of all vehicle inspection stickers issued to it. In the event of lost or stolen stickers, the permittee shall notify the Agency in writing within 10 ten business days. Failure to report missing stickers shall be grounds for revocation of a fleet inspection permit.
- 4) Inspection stickers shall be displayed in accordance with Section 276.309.
- 5) The permittee shall retain a legible copy of each completed vehicle inspection report Vehicle Inspection Report at the fleet inspection station for a minimum of two years after the applicable inspection date. The reports shall be made available for Agency review upon request during normal business hours.
- d) Equipment, Maintenance and Calibration
- 1) All exhaust gas analyzers and tachometers shall be maintained in good working order in accordance with manufacturer's specifications.
- 2) All exhaust gas analyzers shall be calibrated utilizing manufacturer recommended procedures, and shall be gas spanned pursuant to the procedures set forth in Sections 276.601 and 276.602.
- 3) The permittee shall keep records of all calibrations, leak checks, and other maintenance performed on emission inspection equipment for two years. The records shall be retained at the fleet facility.
- All records shall be kept on standardized forms provided by the Agency and shall be made available for Agency review upon request during normal business hours.

(Source: Amended at 16 Ill. Reg. 10230, effective June 15, 1992)

## ILLINOIS HOUSING DEVELOPMENT AUTHORITY

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of Part: Multifamily Rental Housing Mortgage Loan Program

- 2) Code Citation: 47 Ill. Adm. Code 310

- 3) Section Numbers: Adopted Action:

310.101	Amendment
310.102	Amendment
310.103	Amendment
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310.602	Amendment
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310.902  
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Amendment  
Amendment  
Amendment

- 4) Statutory Authority: Section 7.19 and 7.25 of the Illinois Housing Development Act (Ill. Rev. Stat. 1991, Ch. 67 1/2, pars. 307.19 and 307.25).

- 5) Effective Date of Amendments: June 16, 1992

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Do these Amendments contain incorporations by reference? No

- 8) Date Filed in Agency's Principal Office: January 17, 1992

- 9) Notice of Proposal Published in Illinois Register:

February 7, 1992 16 Ill. Reg. 1961

- 10) Has JCAR issued a Statement of Objections to these Amendments: No

- 11) Differences between proposal and final version:

Pursuant to the Agreement Letter from JCAR dated June 10, 1992 and a memorandum from Administrative Code Division dated February 27, 1992, the Authority made a series of technical and grammatical corrections throughout the rulemaking and in Section 310.913(d), added "acceptable to" and "retained by" after "architect".

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.

- 13) Will these Amendments replace amendments currently in effect? No

- 14) Are there any amendments pending on this Part? No

- 15) Summary and Purpose of Amendments?

This rulemaking amends the statewide program to create and retain affordable multifamily housing for low and moderate income persons and families.

- 16) Information and questions regarding these Adopted Amendments shall be directed to:

Diane K. Corbett, Esq.  
401 N. Michigan Ave., Suite 900  
Chicago, Illinois 60611

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The full text of the Adopted Amendments begins on the next page:



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CHAPTER II: ILLINOIS HOUSING DEVELOPMENT AUTHORITY  
PART 310  
MULTIFAMILY RENTAL HOUSING MORTGAGE LOAN PROGRAM

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310.909 Mechanical Work Insulation  
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310.912 Rehabilitation Guidelines  
310.913 Rehabilitation Waiver

AUTHORITY: Implementing and authorized by the Illinois Housing Development Act (Ill. Rev. Stat. 1991, ch. 67 1/2, pars. 301 et seq.).

SOURCE: Adopted at 5 Ill. Reg. 14583, effective prior to October 24, 1980 as corrected at 6 Ill. Reg. 620; codified at 7 Ill. Reg. 2433; amended at 8 Ill. Reg. 2996, effective February 28, 1984; amended at 9 Ill. Reg. 8631, effective May 29, 1985; Emergency amendment at 9 Ill. Reg. 10086, effective June 13, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11296, effective July 5, 1985; amended at 9 Ill. Reg. 14675, effective September 13, 1985; amended at 9 Ill. Reg. 16848, effective October 21, 1985; amended at 10 Ill. Reg. 13657, effective August 4, 1986; amended at 10 Ill. Reg. 13987, effective August 11, 1986; amended at 14 Ill. Reg. 683, effective December 27, 1989; amended at 16 Ill. Reg. 10248, effective June 16, 1992.

## SUBPART A: GENERAL RULES

## Section 310.101 Authority

These Rules are authorized by and made pursuant to Sections 7.2, 7.19, 7.24b, 7.24e, 8, 9, 10, 11, 12 and 14 of the Act and shall govern the Program.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

## Section 310.102 Purpose and Objectives

These Rules are established to accomplish the general purposes of the Act and in particular the making of mortgage loans for the construction or rehabilitation of multifamily rental housing in accordance with the Program.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

## Section 310.103 Definitions

As used in this Part, the following words or terms mean:

"Act": The Illinois Housing Development Act (Ill. Rev. Stat. 1984 Supp. 1991, ch. 67 1/2, pars. 301 et seq.) as amended from time to time.

"Authority": The Illinois Housing Development Authority.

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"Bonds": The bonds issued by the Authority from time to time to finance the Program.

"Builders'/Sponsors' Profit and Risk Allowance" ("BSPRA"): The allowance given to the an Owner against the Equity requirements for a Mortgage Loan, in an amount not to exceed an amount equal to ten percent (10%) of the total estimated replacement cost of a Development (see Section 310.401)---excluding all costs-of-land, relocation, and off-site improvements.

"Chairman": The Chairman of the Authority.

"Change Order": Any written order evidencing a change in construction plans, specifications, or a contractor's work which is executed by an Owner and general contractor and approved by the Authority in writing.

"Clearinghouse": A State, regional, or metropolitan agency designated by the Governor or the Authority or established by State statute to provide notice to appropriate State and local agencies of proposed Developments and to review such Developments.

"Commercial Tenant": The Any entity leasing commercial facilities in a Development.

"Construction Completion Date": The date that construction of a Development is substantially completed, as approved by the Authority in writing.

"Cost Certification Cutoff Date": The last day of the month in which the Construction Completion Date falls.

"Cumulation Date": The date from which an Owner's right to make Distributions shall begin cumulating, which shall be the Initial Closing Date.

"Cumulative Distribution": A Distribution of Surplus Cash and/or Residual Receipts representing all or part of a Distribution unpaid but cumulated by an Owner in a prior fiscal year.

"Current Distribution": A Distribution of Surplus Cash and/or Residual Receipts representing all or part of a Distribution earned in a current fiscal year.

"Deputy Director": The Deputy Director of the Authority.

"Development": The Real Estate, together with all improvements, buildings, equipment, and personal property appurtenant thereto.

"Development Funds": All cash, rent subsidies, gross Development



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income, bank accounts, certificates of deposit, trust funds, reserves, escrows, accounts receivable, and other such assets of a Development.

"Director": The Director of the Authority.

"Distribution": Any withdrawal or taking of cash from Surplus Cash and/or Residual Receipts, including segregation of cash for subsequent withdrawal, for payment to or on behalf of an Owner pursuant to the Authority's written authorization of such Distribution.

"Eligible Mortgagor": Any Limited-Profit Entity or Nonprofit Corporation or any Illinois land trust the beneficiary of which is a Limited-Profit Entity or Nonprofit Corporation, but only if such mortgagor's ownership of the Development (including any partnership interest or stock ownership interest in such mortgagor's Mortgage), or such beneficiary's interest in such Illinois land trust (including the ownership of any partnership interest or stock ownership interest in such beneficiary) shall not cause the underlying any Tax-exempt Bonds used to finance the Development to become taxable for federal income tax purposes, and the organizational documents of such mortgagor or such beneficiary as set forth referred to in Section 310.303 of this Part at all times are in compliance with the requirements of Section 310.303 of this Part.

"Equity": The difference between the amount of a Mortgage Loan and the total cost of a Development (see Section 310.403) except as otherwise provided for in Section 310.403(f) below.

"Final Closing Date": The date on which the Authority issues its final closing memorandum.

"Initial Closing Date": The date on which the Authority issues its initial closing memorandum.

"Limited-Profit Entity": Any individual, joint venture, partnership, limited partnership, trust, or corporation organized or existing under the laws of the State of Illinois or authorized to do business in the State and having articles of incorporation or comparable documents of organization or a written agreement with the Authority which, in addition to meeting other requirements of law, meets the requirements of the Act.

"Members": The Members of the Authority.

"Mortgage": The mortgage or other instrument in the nature of a mortgage, together with any supplements thereto and amendments or modifications thereof, executed as security for a Mortgage Loan.

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"Mortgage Loan": The loan from the Authority to a Mortgagor to be used for the acquisition of the Real Estate and for the planning, construction, rehabilitation, development, completion or financing of a Development.

"Mortgage Note": The document executed as evidence of a Mortgagor's indebtedness under a Mortgage Loan and any supplements thereto and modifications or amendments thereof.

"Mortgagor": The Limited-Profit Entity, Nonprofit Corporation, or Trustee holding legal title to a Development and who has executed and delivered to the Authority the Mortgage and Mortgage Note.

"Nonprofit Corporation": A nonprofit corporation incorporated pursuant to the provisions of the Illinois General Not-for-Profit Corporation Act or the State Housing Act of 1932 and having articles of incorporation which, in addition to meeting other requirements of law, meet the requirements of the Act.

"Notes": The notes issued by the Authority from time to time to finance the Program.

"Owner": The Limited-Profit Entity or Nonprofit Corporation holding legal title to Real Estate or a Development or, when the Real Estate or the Development is held in an Illinois land trust, the Limited-Profit Entity or Nonprofit Corporation owning the beneficial interest in a Trust. Under no circumstances shall "Owner" mean the Authority or a Trustee.

"Part": This Part 310.

"Program": The Authority's multifamily rental housing mortgage loan program.

"Real Estate": The real property upon which a Development is to be or has been constructed.

"Residual Receipts": Any cash remaining at the end of an annual fiscal period after the Authority, if applicable, deducts from Surplus Cash the amount of all Distributions.

"Rules": The Rules and Regulations of the Authority as supplemented and amended from time to time, including, without limitation, this Part.

"Staff": The Director and Deputy Director and the employees of the Authority.

"State": The State of Illinois.



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"Surplus Cash": That part of gross Development income remaining at the end of a fiscal year after Development Funds, if applicable, have been disbursed in accordance with established priorities (see Section 310-464).

"Tenant": The person or family leasing a dwelling unit in a Development.

"Tenant Selection Plan": The tenant selection plan approved by the Authority for a Development.

"Trust": The Illinois land trust of which an Owner is the sole beneficiary and which holds legal title to a Development.

"Trustee": The Trustee of an Illinois land trust holding legal title to a Development.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

Section 310.106 Standards

In administering the Program, the Authority, the Chairman, the Director, and the Staff shall in the exercise of discretion consider, in addition to the criteria specifically set forth in these Rules, the purposes of the Program to provide decent, safe, and sanitary multifamily rental housing; the requirements of applicable State and Federal law; the financial condition and previous experience of potential and participating developers; the Authority's ability to purchase or redeem the any Bonds and to comply with the requirements of the resolutions authorizing the any Bonds; the Authority's ability to comply with the terms and provisions of any Notes; the financial integrity of the Program; the housing needs of the State; architectural and construction quality; preservation of the value of the Development as security for the a Mortgage Loan; the ability of the Owner to repay the a Mortgage Loan out of gross Development income; the potential prepayment of a Mortgage Loan; the desirability of achieving a reasonable geographic distribution of Developments throughout the State; the standards and practices of the a prudent lender; the requirements of local housing codes and zoning laws; specific standards set forth in Authority agreements and documents; or any other factors relevant under the circumstances.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

Section 310.107 Forms and Procedures for the Program

The Staff may prepare, use, supplement and amend such forms, agreements, and other documents and such procedures as may be necessary to implement the Program, all as may be prescribed by the Director.

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(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

Section 310.109 Waiver

By resolution the Members may waive or vary particular provisions of this Part to conform with the requirements of applicable State or Federal law or in exceptional circumstances to conform with the determination of the Authority that the application of such provisions may result in undue hardship or an unreasonable result.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

Section 310.110 Amendment

This Part may be supplemented, amended or repealed by the Members from time to time and in such manner as they may determine consistent with the Rules, the Act and other applicable provisions of law. This Part shall not constitute or create any contractual rights.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

Section 310.111 Severability

If any clause, sentence, paragraph, subsection, section, or Subpart of this Part be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subsection, section or Subpart thereof as to which such judgment is rendered.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

Section 310.113 Titles and Captions

Titles and captions of Subparts, sections, Sections and subsections are used for convenience and reference and are not a part of the text.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

Section 310.114 Calendar Days

Days shall mean calendar days. Business days falling on a Saturday, Sunday or legal State or Federal holiday shall be deemed to fall on the next calendar day that is not Saturday, Sunday or a legal State or Federal holiday.



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(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

SUBPART B: NOTICE OF PROPOSED DEVELOPMENTS

Section 310.201 Applicability and Purpose of Notification

- a) Purpose  
This Subpart is established to notify certain persons and agencies pursuant to Section 7.24b of the Act that a Developer proposes to construct a Development in their district, county or municipality.
- b) Applicability  
The provisions of this Subpart shall apply only to Developments subject to Part 310.
- c) Compliance  
The A Developer's feasibility conditional commitment application shall not be deemed to be complete until the provisions of this Subpart have been complied with. A Developer's failure to comply shall relieve the Authority of any all obligations regarding the Development.
- d) Developer's Acts  
In responding to comments, attending hearings, or undertaking any other activities pursuant to this Subpart, the A Developer shall not hold itself out to represent the Authority and shall not take or suffer any act which would incur any obligation on behalf of the Authority.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

Section 310.202 Notification by Authority

- a) Notice of Development  
At the time the site-and-market a feasibility letter is issued for a proposed Development, the Authority shall give written notice of the proposed Development to the following persons and agencies:
  - 1) the chairman of the county board of the county in which the Development is proposed to be located;
  - 2) the mayor or other chief executive of the municipality (means cities, villages and incorporated towns), if any, in which the Development is proposed to be located;
  - 3) in municipalities with a population of more than 1,500,000 persons, the alderman of the ward in which the Development is proposed to be located;
  - 4) appropriate Clearinghouses; and
  - 5) each member of the General Assembly from the legislative district in which the Development is proposed to be located.
- b) Forms

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Notice under this section shall be made on Authority forms.

- c) Contents  
The notice shall set forth the name and address of the proposed Development; the name, address, and telephone number of the Developer; the estimated amount of the Mortgage Mortgage; the type of any subsidies; the total number of units; the total number of any subsidized units; the type of Development (for example, elderly, family or handicapped); and any other information which the Authority deems relevant.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

Section 310.203 Comments and Responses

- a) Comments  
The persons and agencies receiving notice of a proposed Development pursuant to Section 310.202 shall have 30 days from the date of mailing to submit written comments to the Developer.
- b) Developer's Response  
The Developer shall respond in writing to all comments received under this Section.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

Section 310.204 Feasibility Conditional Commitment Application

- a) Documents  
With the feasibility a conditional commitment application for a proposed Development, the Developer shall submit to the Authority the following documents:
  - 1) a copy of every written comment and a written summary of every oral comment received pursuant to Section 310.203(a);
  - 2) a copy of every response made pursuant to Section 310.203(b);
  - 3) a history of conferences, hearings, and other activities undertaken in relation to comments on the proposed Development;
  - 4) a brief summary of what the Developer has done in response to comments; and
  - 5) a certification that the information provided under this Section is accurate and complete.
- b) Information  
Sufficient information shall be provided under this Section to enable the Authority to determine whether comments received pursuant to Section 310.203 have been adequately considered and responded to.
- c) Denial  
The Authority may deny a Developer's feasibility conditional commitment application for, among other causes, failure to comply with the conditions of the site-and-market



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feasibility letter, which conditions shall include evidence of compliance with the provisions of this Subpart. Said denial shall be in writing and shall state the reasons therefor. In the event if the Authority determines that it cannot proceed must cease with processing a feasibility conditional commitment application, the conditions necessary for continued processing will be communicated to the Developer developer in writing and the time period in which the conditions must be met will be set forth.

## d) Assistance of Authority

In the interval between the Authority's issuance of the site-and market a feasibility letter for a Development and the Developer's developer's submission of its feasibility conditional commitment application for such Development, it shall be the Developer's developer's responsibility to seek the assistance of the Authority, if needed, in addressing comments received pursuant to Section 310.203.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

## Section 310.205 Hearings

The Developer developer shall provide written notice to the Authority of any public or adjudicatory hearing which may be held in connection with the proposed Development. The Developer developer shall mail such notice to the Authority within 2 days of receiving notice or otherwise becoming aware of such hearing. It shall be the Developer's developer's responsibility to prepare for and attend such hearings and to respond to any inquiry made at or in connection with such hearings regarding the proposed Development.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

## Section 310.206 Notice of Issuance of Feasibility Conditional Commitment Letter

When the Authority issues a feasibility conditional commitment letter for a Development subject to this Subpart, it shall at the same time notify the persons and agencies named in Section 310.202 of such issuance.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

## SUBPART C: OWNER

## Section 310.301 Eligible Mortgagees

The Authority may make Mortgage Loans under the Program to Limited-Profit Entity-or-Nonprofit-Corporation-or-to-an-Individual-Eligible Mortgagees. The Owner of the Development shall at all times be an Eligible Mortgagee. If the

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Authority learns that an Owner is not in compliance an Eligible Mortgagee, then the Authority shall take the action, if any, specified in the contract Mortgage Loan documents.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

## Section 310.302 Land Trusts

Whenever the Real Estate of a Development is held in an Illinois land trust, the agreement creating the Trust and establishing the respective rights, powers, and duties of the Trustee and Owner shall be in a format approved by the Authority. Such format shall be approved if examination by the Authority discloses that it meets the legal requirement necessary to create a valid Illinois land trust and complies with the Act and this Part as determined by the Authority. The deed in trust and trust agreement shall be in compliance with the Act and this Part as determined by the Authority. Any trust agreement shall not be amended or revoked without the prior written approval of the Authority. If the Authority determines that Section 310.105 and 310.106 are complied with, such approval shall be granted. Upon either the request of the Owner or the Authority, the Trustee shall furnish the Authority with copies of the trust agreement and all records in its possession relating to the trust agreement, the Real Estate and the Development. The Authority with may request such documents when it believes there is non-compliance with the Act or this Part 310. The trust agreement, the Mortgage Loan documents and the organizational documents of Owner described in Section 310.303 of the--Rules this Part shall require such Authority approvals of, and impose such restrictions on, the conveyance, assignment, leasing, mortgaging, pledging or other transfer, directly or indirectly, by operation of law (for example, bankruptcy proceedings), or otherwise, of the Development, and the beneficial interest in, and power of direction over, the Trust or any partnership interest or stock ownership interest in the beneficiary of the Trust.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

## Section 310.303 Organizational Documents

The organizational documents of a joint venture, partnership, limited partnership or corporation having articles of incorporation shall contain provisions to qualify and maintain the Owner as a Limited-Profit Entity or Nonprofit Corporation as defined in the Act and this Part, to qualify and maintain the Trustee or the Owner, as the case may be, as eligible Eligible mortgagees Mortgagees as defined in this Part, and to insure that the Owner, and each person or entity which has an ownership interest in the Owner and/or Trustee, are required to comply with the Act and this Part and shall not cause the underlying bonds Bonds used to finance the Development Development, if any, to become taxable for federal tax purposes. The provisions of such documents of organization as are required by this Section 310.303 shall not be amended



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Without prior written Authority approval. ~~The~~ amendment Amendment of the provisions of such documents shall be allowed so long as the Authority determines that they comply with Sections 310.103, 310.106 and this Section 310.303.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

Section 310.304 Books and Records

The books and records of the Development shall be prepared and maintained in accordance with Authority requirements and shall be subject to inspection, examination and copying by the Authority and its authorized representatives or agents at such times as the Authority reasonably requires for the purpose of determining compliance with the Rules, the Act and all contracts and agreements relating to the Program. The books and records of the Owner, if separate from the books and records of the Development, shall be prepared and maintained in accordance with Authority requirements and shall be subject to inspection, examination and copying by the Authority and its authorized representatives or agents at such times as the Authority reasonably requires.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

Section 310.305 Audits

The Development and offices, architectural plans and specifications, apparatuses, devices, books and records, contracts, documents, and other papers relating thereto shall at all times be maintained in reasonable condition for proper audit and shall be subject to inspection, examination and copying by the Authority and its authorized representatives or agents at such times as the Authority reasonably requires. All audits, certifications and financial reports which the Owner is required by contract with the Authority to allow, undertaker or prepare shall be made by an independent certified public accountant acceptable to the Authority.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

Section 310.306 Annual Financial Report

Within sixty days of after the end of the Development's fiscal year, the Owner shall furnish the Authority with a complete annual financial report based upon the books and records of the Development and the Owner, prepared in accordance with Authority requirements, and certified by the Owner and an independent certified public accountant acceptable to the Authority.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

Section 310.307 Furnishing Information

The Owner shall furnish such reports, projections, certifications, analyses and tax returns as required by applicable federal or State statutes, regulations or subsidy or assistance programs or by the Authority and shall furnish specific answers to the Authority's questions about the Owner's income, assets, liabilities and contracts and about the administration, operation, maintenance, occupancy, financial soundness and physical condition of the Development.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

Section 310.309 Standards for Approval of Conveyance and Amendment of Documents

In determining whether to approve and/or impose restrictions on the conveyance, assignment, leasing, mortgaging, pledging or other transfer of all or any part of the Development, and beneficial interest in, and power of direction over, the Trust or any partnership interest or stock ownership interest in the beneficiary of the Trust under Section 310.302 and in determining whether to approve amendments to the documents of organization under Section 310.303, the Authority shall grant such approval, with any necessary restrictions, if the Authority determines that said action will not have an adverse impact upon the financial stability of the development Development or tax-exempt status of the underlying bonds Bonds, if any.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

SUBPART D: MORTGAGE LOAN

Section 310.401 Maximum Mortgage Loan Amount

a) Establishing Amount. The maximum Mortgage Loan amount available to an Owner which is a Limited-Profit Entity is 90% of the total estimated replacement cost of the Development or 90% of the total cost of the Development, as those costs may be determined and approved by the Authority in its sole discretion, whichever cost is less. The maximum Mortgage Loan amount available to the an Owner which is a Nonprofit Corporation is 100% of the total estimated replacement cost of the Development or 100% of the total cost of the Development, as those costs may be determined by the Authority in its sole discretion, whichever cost is less. In calculating the total estimated replacement cost of the Development, the Authority shall consider the design architect's fees; the supervisory architect's fees; legal, accounting and other organizational fees; marketing, consulting and purchasing agent fees; construction interest; the Authority's service and Development fees; real estate and other taxes; title and recording



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fees; financial contingency and construction contingency; the Development Cost Escrow, if any; BSPRA; relocation costs; off-site improvements; land costs; carrying charges; and any other costs approved by the Authority. In calculating the total cost of the Development, the Authority shall consider trade payments to contractors and subcontractors, general overhead, bond premium premiums, insurance, builder's profit (if any), change change orders, and discounts, rebates, and any other costs approved by the Authority.

- b) Mortgage Loan Increase. Nothing contained in this Section shall prohibit the Authority from increasing the amount of a Mortgage Loan above the limitations specified herein in the event that if the Authority, in its sole discretion, determines that such increase is necessary. In deciding whether to approve a Mortgage Loan increase, the Authority shall consider the physical condition of the Development, the value of the Development as security for the Mortgage Loan, the Authority's ability to provide such Mortgage Loan increase, the ability of the Owner to repay the Mortgage Loan out of gross Development income, the financial status of the Development, and any other relevant factors.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992.)

## Section 310.402 Amortization Maturity of Mortgage Loans

The maximum amortization term maturity of a Mortgage Loan to be made by the Authority for permanent financing of multifamily rental housing under this program shall not exceed 65 years and may be shorter at the sole discretion of the Authority. In determining the amortization term of a Mortgage Loan, the Authority shall take into account its ability to pay when due the principal (including any sinking fund installments) and interest on the any Bonds or Notes, its ability to purchase or redeem the any Bonds and to comply with the requirements of the resolutions authorizing the any Bonds, its ability to comply with the terms and provisions of any Notes, the feasibility of the proposed Development, the financial integrity of the program, the requirements of applicable State and federal law, and any other relevant factors.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992.)

## Section 310.403 Equity and Distributions

- a) Right to Distributions. As provided in the Act, an Owner shall have the right, commencing as provided in subsection (b) of this Section, to make annual Distributions in an amount not to exceed six percent (6%) of its Equity in a Development except as otherwise provided in pursuant to Sections 310.801 through 310.806 310.805 inclusive, except that if a Distribution cannot be made as provided in subsections (c)

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and (d) of this Section, an Owner may cumulate the right to make a Distribution. In partial fiscal years following the Cumulation Date, the amount of a Distribution shall be cumulated pro rata.

b) Cumulation Date. An Owner's right to a Distribution shall begin to cumulate on the Initial Closing Date, which shall also be known as the Cumulation Date.

- c) Source of Distributions. An Owner may make Current and Cumulative Distributions solely out of Surplus Cash and/or Residual Receipts. If Surplus Cash or Residual Receipts are unavailable in a given fiscal year, an Owner shall make no Current Distribution, but the right to make such Distribution shall cumulate. If Surplus Cash and/or Residual Receipts are insufficient in a given fiscal year to make a Distribution in an amount equal to six percent (6%), or as otherwise permitted in Sections 310.801 through 310.806 310.805 inclusive, of an Owner's Equity in a Development, an Owner may distribute all available Surplus Cash and/or Residual Receipts and cumulate the right to make the rest of the Distribution in future years when and if Surplus Cash and/or Residual Receipts are available.

- d) Timing of Distributions. No Distribution shall be made until after the Final Closing Date, even if such date is later than the Cumulation Date. Even if Surplus Cash and/or Residual Receipts are available, the initial and all subsequent Distributions, including Cumulative Distributions, may be made only after the Authority has approved the Development's annual financial report (see Section 310.306); the Development has an approved Development budget for the next fiscal year; the Owner has complied with all outstanding notices of requirements for proper maintenance and operation of the Development; the Owner has cured any defaults or breaches of applicable Authority Rules, contracts, and agreements; and the Authority has issued its written authorization of such Distribution.

- e) Amount of Equity. As required by the Act, the Authority shall establish an Owner's Equity in a Development at the time of making the final Mortgage Loan advance. The amount of an Owner's Equity in a Development is the difference between the amount of the Mortgage Loan and the total cost of the Development (see Section 310.401). In no event shall the amount of such Equity be calculated to include any grants or other funds not originating with the Owner. Once established by the Authority, the amount of an Owner's Equity shall remain constant so long as the Mortgage Note and Mortgage are outstanding on the Development unless adjusted pursuant to an approved Mortgage Loan increase (see Section 310.401) by resolution of the Members based on the criteria set forth in Subsection 310.403(f) below.

- f) Increase in Amount of Equity.

- 1) If an Owner agrees either to preserve the Development as affordable to persons and families of low and moderate income to the full term of the Mortgage Loan or create additional units of housing affordable to persons or families of low and moderate income, the Authority, by resolution of its Members, may increase Owner's Equity to an amount not to exceed the difference between



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the unpaid balance of the Mortgage Loan and the Development's appraised value at the time of the request by the Owner for an Equity increase. The appraisal shall be based on the Development's highest and best use and be conducted by an appraiser acceptable to the Authority. For purposes of the increase in Owner's Equity, the Development's appraised value may be updated by the Owner no more frequently than every five years after an increase is granted under this subsection (f) and the amount of Owner's Equity may be adjusted to reflect the updated appraisal. The cost of the appraisal shall not be a Development expense.

2) It shall be a condition of the Authority increasing Owner's Equity that:

A) the Authority give its prior written consent to any increase in the rental charges for the Development; and

B) the Authority determine, in its sole discretion, that:

i) the Reserve Fund for Replacements is sufficient to pay the costs set forth in Section 310.405 below for the subsequent five years; and

ii) the amount needed to complete any deferred maintenance on the Development is less than one year's funding requirement for the Reserve Fund for Replacements.

3) The Authority shall require the Owner to execute an agreement evidencing the increase in Equity and containing an agreement either to preserve the Development as affordable for low and moderate income to the full term of the Mortgage or create additional units of housing affordable to persons or families of low and moderate income.

4) Any increase in Owner's Equity approved pursuant to this Section shall conform with any relevant federal statutes, rules or regulations.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

**Section 310.404 Development Funds and Property**

All Development Funds received by an Owner or his agent shall be deposited to and maintained, as the Authority directs, in appropriate accounts with the Authority, or in a federally insured bank or savings and loan association or other financial institution located and qualified to do business in Illinois and whose deposits are insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation government, or in other fiduciaries acceptable to the Authority. The Authority shall by contract with the Owner establish priorities for the disbursement and use of Development Funds, including the funding of reserves and escrows, and require that the Owner have personal liability for Development Funds or Development property which comes into its hands or the hands of its agents which by contract with the Authority the Owner is not entitled to retain or has

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disbursed or used in violation of Authority requirements. In establishing such priorities, the Owner and Authority shall take into account the purposes of the program, the financial stability of the Development, the physical condition of the Development, the value of the Development as security for the Mortgage Loan, and other relevant factors. It shall be a violation of the Rules for the Owner or his agent to disburse, use or retain Development Funds or Development property other than in accordance with the requirements or priorities established pursuant to this section and set forth in Authority contracts or other documents.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

**Section 310.405 Reserve Fund for Replacements**

The Owner of a Development shall set aside out of gross Development income and shall deposit with the Authority such sums as the Authority shall specify or applicable federal statutes, regulations, or agreements require to be deposited to an account known as the Reserve Fund for Replacements. No proceeds of the Reserve Fund for Replacements may be withdrawn, disbursed, or applied without written Authority approval. The sums set aside, together with any income earned thereon, shall be used to pay the costs of replacing structural elements and mechanical equipment of the Development and for such other Development expenses as the Authority in its sole discretion may approve. In determining the amounts to be set aside or deposited to the Reserve Fund for Replacements, the Authority shall consider the nature and condition of any structural elements or mechanical equipment which may have to be replaced, the estimated useful life of any such structural elements or mechanical equipment, the estimated cost of replacements, applicable federal requirements, construction costs, potential gross Development income, and any other relevant factors. In determining whether to approve disbursements from the Reserve Fund for Replacements, the Authority shall consider the benefit to the Development of the proposed disbursement, the amount to be disbursed, the amount on deposit in the Reserve Fund for Replacements, whether the Owner is delinquent in making deposits to the Reserve Fund for Replacements or is otherwise delinquent in making payments or deposits under the Mortgage Loan documents, other uses for which the Reserve Fund for Replacements is likely to be needed, and any other relevant factors.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

**SUBPART F: MARKETING AND MANAGEMENT****Section 310.602 Marketing and Management Plans**

a) Approval. Before the Authority makes a Mortgage Loan and at other times required by the Authority, the Owner shall submit for the Authority's approval a Marketing plan and a Management Plan for the Development. In deciding whether to approve the Marketing Plan and the



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Management Plan, the Authority shall consider the purposes of the Program, the provisions of the Tenant Selection Plan, and any other relevant matters.

- b) Compliance. The Marketing Plan and the Management Plan shall comply with all applicable federal and State statutes and regulations and with the terms and conditions of all applicable contracts and agreements providing for federal subsidies or assistance relating to the Development.

- c) Contents of Marketing Plan. The Marketing Plan shall set forth the policies and procedures to be used by the marketing agent in marketing the Development and shall address the qualifications of the marketing agent; the nature of the market to be served by the Development; the dates of availability of occupiable units by type and location; the dates of availability and locations of Development facilities essential to the marketing campaign, including any model units, the rental officer and the community building; the promotion of the Development, including the use of mass media, public relations, brochures, signs, equipment and furnishings for model units and the rental office, and marketing staff; the intended mix of family, elderly and handicapped tenants; where appropriate, the intended Tenant income mix and method of achieving such a mix; the method of processing prospective tenants; the criteria upon which prospective tenants' applications for occupancy are to be approved or disapproved; preference for occupancy in the Development for persons and families displaced by urban renewal, slum clearance, other governmental action or natural disaster; rent schedules; and any other relevant matters.

- d) Contents of Management Plan. The Management Plan shall set forth the policies and procedures to be used by the managing agent in operating the Development and shall address the qualifications of the managing agent; procedures for recruiting and supervising management personnel; physical maintenance of the Development; procedures for tenant selection; preference for occupancy in the Development for persons and families displaced by urban renewal, slum clearance, other governmental action or natural disaster; tenant/landlord relations; eviction procedures; marketing; financial reporting; books and records of the Development; the intended mix of family, elderly and handicapped tenants; where appropriate, the intended Tenant income mix and method of achieving such a mix; the method of processing prospective tenants; the criteria upon which prospective tenants' applications for occupancy are to be approved or disapproved; and any other relevant matters.

- e) Owner's Responsibility. The Owner shall be responsible for ensuring the marketing agent's and the managing agent's compliance with all applicable ordinances, regulations, statutes, and Authority Rules, agreements and requirements.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

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## Section 310.603 Maintenance

The Owner shall maintain the Development, including without limit limitation the dwelling units, commercial facilities and grounds and equipment related to the Development, in a decent, safer and sanitary condition, in a tenantable and rentable state of repair, and in compliance with applicable federal, State and local statutes, regulations, ordinances, standards and codes.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

## Section 310.604 Cost of Services

The Owner shall not pay more for administrative, operating and maintenance expenses than is reasonable given the location and size of the Development, the level of administration, operation and maintenance required by applicable Authority Rules and agreements, the requirements of the Marketing Plan, Management Plan, and Tenant Selection Plan, the uniqueness or quality of available services or supplies, the presence of an emergency or other time constraint, the creditworthiness of suppliers and contractors and any other relevant factors. The Owner shall solicit bids for certain contracts in accordance with Authority agreements.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

## SUBPART G: OCCUPANCY

## Section 310.701 Tenant Selection Plan

- a) Approval. Before making a Mortgage Loan conditional commitment under the program, the Authority shall approve a Tenant Selection Plan submitted by the Owner and setting forth the income limits for Tenants of the Development. In approving the Tenant Selection Plan, the Authority shall consider whether the selection procedures will be equitable, considering the size and circumstances of the Tenant family; promote a heterogeneous mix of income levels to the extent appropriate; maintain the financial stability of the Development; meet the requirements of subsection (b) of this Section; and comply with the Authority's Rules, agreements and requirements.
- b) Compliance. The Tenant Selection Plan shall comply with all applicable State and federal statutes and regulations, with the terms and conditions of all applicable contracts and agreements providing for federal subsidies or assistance relating to the Development, and with the affirmative fair housing marketing plan approved by the Authority for the Development.
- c) Requirement for Developments on for which a Conditional Commitments Commitment Letter was issued on or after August 9, 1984. With respect to developments Developments for which a



conditional commitment letter to finance the original principal amount of the mortgage loan was has been issued on or after August 9, 1984, the Tenant Selection Plan submitted by the owner and approved by the Authority shall specify how many units in the Development shall be held available to persons and families of low or moderate income, as defined in Sec. 2(g) of the Act and Treas. Reg. Sec. 1.103-8(b)(8)(v)(1984) and set forth the rental charges for those units. In determining the number of units which shall be so held available for such rentals, and in determining the rental charges which may be established for those units, the Authority shall establish the financial benefit of the mortgage loan to the owner of the Development by comparing the interest rate of the mortgage loan to be made by the Authority to an index computed by the Authority of the Government National Mortgage Association (GNMA) index for mortgage backed securities in establishing the financial benefit to the owner of a development; the Authority shall calculate the difference between the interest rate charged by the Authority and that of the GNMA index and the difference between the debt service of each unit and the amount of the financial benefit; the number of such units and rentals for them shall be determined in such a way that, in the sole judgment of the Authority (11th Rev. Stat. 1984 Supp. 7 ch. 67-1/2, par. 3-107 in compliance with this Part, more than 50% of that benefit shall be used to reduce rentals for those units to rentals lower than that which would otherwise have been charged for those units without the benefit of the Authority financing; provided however require that the number of dwelling units reserved for low or moderate income persons and families of low and moderate income in each Development shall not be less than the number required by applicable Federal and State law. In determining the rental which would otherwise have been charged for those units, the Authority shall take into consideration debt service, operating expenses and the return on owner's equity.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

Section 310.702 Income Limits

- a) General. A person's or family's initial occupancy of a unit held available for rental to persons and families of low or moderate income, as defined in Section 2(g) of the Act, Treas. Reg. Sec. 1.103-8(b)(8)(v)(1984) (24 CFR 889.103(1984)), shall be limited to persons and families initially meeting the income limits set forth in subsection (b). If a person or family meeting income requirements at the time of initial occupancy subsequently fails to continue to meet such requirements, that failure shall not constitute non-compliance by that tenant Tenant.
- b) Determination of Income Limits.
  - 1) For all Developments an income limitation is established equal to 80% of the median family income for the metropolitan statistical

area in which the Development is located for that proportion of the units (20%, or 15% in certain targeted areas) as is required by the Treasury Regulations under Section 103(b) of the United States Internal Revenue Code (26 U.S.C. 103(b)), as amended.

2) Annually, the Authority shall

- A) determine the rents which have been charged for Developments which have been constructed or rehabilitated without assistance from a governmental source;
- B) designate as a percentage of median family income measured as provided in Section 103(b)(12)(E) of the Internal Revenue Code (26 U.S.C. 103(b)(12)(E)(1984)) the income limits of persons and families of low and moderate income who would be unable to afford the rents charged for such units under subsection (b)(1)(A) if they were to expend 30% of family income as rent for such unit;

3) Provided, however, notwithstanding any such determination for Developments with Assisted Mortgage Financing, as that term is defined in the Act, involving programs of the United States Department of Housing and Urban Development (HUD), income limitations shall be established at levels higher or lower than otherwise would be established) which shall be consistent with applicable regulations and/or feasibility criteria of HUD or the Federal Housing Administration programs under the National Housing Act mortgage insurance or co-insurance programs under Sections 207, 220, 221, 236 and 255 of the National Housing Act (24 CFR 207.1 et seq. (1984); 24 CFR 220.1 et seq. (1984); 24 CFR 221.1 et seq. (1984); 24 CFR 236.1 et seq. (1984); 24 CFR 255.1 et seq. (1984)). The limitations may be established as a percentage of median income or as a dollar amount. No such income limitations shall be established for such developments unless the Authority shall determine that without the Authority mortgage loans and the HUD related Assisted Mortgage Financing rentals for such developments would be required to be at levels which would equal or exceed 30% of the income of the tenants Tenants.

- c) Areas of Determination. Determination of income limits for persons and families of low and moderate income shall be made for metropolitan statistical areas (or segments thereof), as defined in Section 103A(1)(4)(B) of the Internal Revenue Code (26 U.S.C. 103(1)(4)(B)(1984)), in the State and for that portion of the State not within any metropolitan statistical area (or segments thereof). Certification. The Owner shall obtain from each prospective tenant intending to occupy a unit held available for rental to persons and families of low or moderate income a certification of income which shall be submitted by letter to the Authority from the owner Owner. Market Rate Tenants. With respect to developments Developments for which a conditional commitment letter to finance the original principal amount of the mortgage loan was issued prior to August 9, 1984, upon initial occupancy of a dwelling unit in a Development
- d)
- e)



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financed under the Program, persons and families who will not be subsidized or who will not occupy a subsidized unit shall not have an annual income in excess of seven times the annual rent, without taking into consideration any subsidy, applicable to the dwelling unit to be occupied by such Tenant.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992.)

## Section 310.703 Commercial Facilities

a) Facilities. The Owner shall rent commercial facilities, if any, only to such Commercial Tenants, at such rentals and for such purposes as have been approved by the Authority. In approving commercial facilities and Commercial Tenants, the Authority shall consider the Tenant Selection Plan, the Marketing Plan, the Management Plan, the nature of the prospective business, the credit history of the prospective commercial tenant, the benefit of the prospective business to Tenants of the Development, the prospective commercial tenant's ability to comply with applicable licensing and zoning requirements, the purposes of the Program, and any other relevant matters.

b) Compliance. The Owner shall be responsible for ensuring the Commercial Tenant's compliance with all applicable ordinances, zoning codes, licensing requirements, regulations, statutes, and Authority Rules and agreements.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992.)

## SUBPART H: RATE OF RETURN ON EQUITY FOR LIMITED-PROFIT ENTITIES

## Section 310.801 Statutory Authorization

Pursuant to Paragraph 308 of the Illinois Housing Development Act, the Authority is required to establish the owner's equity on each multifamily mortgage mortgage loan provided to a limited profit entity at the time of final mortgage mortgage disbursement. The statute Act provides that the maximum rate of return on owner's equity shall be 6% unless the Authority, pursuant to these Rules, establishes criteria by which a higher rate is fixed established. It is the purpose of these rates this Subpart to set the criteria under which a rate of return higher than 6% will be paid established.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992.)

## Section 310.802 Projects Developments Eligible for Increased Rate of Return

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a) Any developments Development for which the Authority has issued a Conditional Commitment Commitment letter effective on or after August 9, 1984 is eligible for the establishment of an alternate Basic Rate rate of Return return in excess of 6% if it is determined by either,

- i) the Director or, in his absence, the Deputy Director determines it to be necessary in order to attract private enterprise to construct, rehabilitate, operate and maintain housing for low and moderate income persons. The standard or test for determining whether a higher rate of return is necessary is but for the higher rate of return would private enterprise would be unable to acquire, construct, rehabilitate, operate and maintain housing for low and moderate income persons. In making this determination, the Director or, in his absence, the Deputy Director shall consider but not be limited to the competing market interest rates, the alternative lending sources, financial projections based upon anticipated rents, debt service, utilities, taxes and other expenses and the comparative severity of the housing needs--the decisions--throughout this Subpart--H regarding the increased rate of return on equity shall be made by the Director or Deputy Director--in the event that there is a disagreement--between the Director--and--Deputy--Director--the decision of the Director shall prevail; or
- 2) the Authority determines, pursuant to resolution of its Members, that an increase in the basic rate of return is necessary to preserve the Development as affordable for persons or families of low and moderate income or that the increase provides for the creation of additional units of housing affordable to persons or families of low and moderate income in the Development or otherwise in the State. It shall be a condition to an increase in the basic rate of return pursuant to Subsection 310.802(a)(2) that,

- A) the Authority give its prior written consent to any increase in the rental charges for the Development, and
- B) the Authority determine, in its sole discretion, that,
  - i) the Reserve Fund for Replacements is sufficient to pay the costs set forth in Section 310.405 above for the subsequent five years, and
  - ii) the amount needed to complete any deferred maintenance on the Development is less than one year's funding requirement for the Reserve Fund for Replacements.

b) If the Authority makes a determination pursuant to Subsection 310.802(a)(ii) above, then, prior to the Authority increasing the basic rate of return, the Authority shall require that the Owner execute an agreement evidencing the increase in the basic rate of return and containing the Owner's agreement either to preserve the Development as affordable for persons or families of low and moderate income for the full term of the Mortgage Loan or increase the number of units affordable to persons or families of low and moderate income.



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- c) Any increase in the basic rate of return approved pursuant to this Section shall conform with any relevant federal statutes, rules or regulations.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

Section 310.803 No Retroactive Adjustments

- a) Developments for which the Authority has issued a Conditional Commitment letter effective prior to August 9, 1984 are not eligible for an alternate Basic Rate rate of Return in excess of 6%, unless

1) the development Development is a troubled development Development as determined by the Director or, in his absence, the Deputy Director. A "troubled development Development" for purposes of this Section is one for which a delinquency of more than sixty days exists for replacement reserve, tax and insurance reserve, or principal or interest payments and/or an alternate alternate Basic Rate rate of Return return is necessary, as determined by the Director or, in his absence, the Deputy Director, to encourage a new owner Owner to acquire the development Development, or to encourage an existing Owner to invest monies into the Development, or to assist an existing owner Owner to meet its financial obligations. In regard to the delinquencies, it would--have--to shall be established to the satisfaction of the Director or, in his absence, the Deputy Director, that the increase in the rate of return is essential for the development Development meeting to meet these delinquency obligations. The standard or test--is to be applied shall be that but for the increased rate of return the development Development would not be able to make these past due payments current. In making the determination whether one or more delinquencies exist, the Director or, in his absence, the Deputy Director shall consider, but not be limited to, an examination of all books and records the Authority has in regard to the delinquencies as well as all documentation submitted by or on behalf of the development Development, and anticipated rents, debt service, utilities, taxes and other expenses of the development Development; or

2) the Authority determines, pursuant to resolution of its Members, that an increase in the basic rate of return is necessary to preserve the Development as affordable for persons or families of low and moderate income or that the increase provides for the creation of additional units of housing affordable to persons or families of low and moderate income in the Development or otherwise in the State. It shall be a condition to an increase in the basic rate of return pursuant to this subsection that

- A) the Authority give its prior written consent to any increase

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- B) the Authority determine, in its sole discretion, that
- the Reserve Fund for Replacements is sufficient to pay the costs set forth in Section 310.405 above for the subsequent five years, and
  - the amount needed to complete any deferred maintenance on the Development is less than one year's funding requirement for the Reserve Fund for Replacements.

- b) In regard to an alternate alternate Basic Rate rate of Return return to encourage a new owner Owner to acquire the development Development, it would--have--to shall be established to the satisfaction of the Director or, in his absence, the Deputy Director that but for the increase in the rate of return, a new owner Owner could not be found to acquire the development Development. In making this determination the Director or, in his absence, the Deputy Director shall consider but not be limited to competing market interest rates, alternative lending sources, financial projections based upon anticipated rents, debt service, utilities, taxes and other expenses and the comparative severity of the housing needs.

- c) If the Authority makes the determination pursuant to Subsection 310.803(a)(2) above, the Authority, prior to increasing the basic rate of return pursuant to Subsection 310.803(a)(2) above, shall require that the Owner execute an agreement evidencing the increase in the rate of return and containing the Owner's agreement either to preserve the Development as affordable for persons or families of low and moderate income for the full term of the Mortgage loan or to increase the number of units affordable to persons or families of low and moderate income.

- d) Any increase in the basic rate of return approved pursuant to this Section shall conform with any relevant federal statutes, rules or regulations.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

Section 310.804 Calculation of Alternate Basic Rate of Return

- a) in--the--of--a--rate--of--return--of--6%--paid-on-owner's-equity For Developments which are eligible for an alternate basic rate of return in excess of 6% pursuant to Section 310.802(a)(1) or 310.803(a)(1) above, the Authority may establish an alternate alternate Basic Rate rate of Return return in an amount not to exceed, except as provided in Section 310.805 below, two hundred percent of the yield paid on 30-year Government National Mortgage Association (GNMA) mortgage certificates as of the date of the conditional conditional commitment commitment letter to that project Development. In order for an alternate alternate Basic Rate rate of Return return higher than 6% to be approved, it would--have--to shall be established to the satisfaction of the Director or, in his absence,



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the Deputy Director that, but for increase in the rate of return, private enterprise would not be attracted to acquire, construct, rehabilitate, operate and maintain the development. The Authority will establish an Alternate Alternate Basic Rate rate of Return if the Director or, in his absence, the Deputy Director determines and certifies that but for a higher rate of return private enterprise would not acquire, construct, rehabilitate, operate and maintain housing for low and moderate-income persons. In making the determination and certification whether an Alternate Alternate Basic Rate rate of Return will be approved and in determining and certifying the amount of the rate increase, the Director or, in his absence, the Deputy Director shall consider, but not be limited to, the competing market interest rates, alternative lending sources, financial projections based upon anticipated rents, debt service, taxes, utilities and other expenses and the comparative severity of the housing needs. Such Alternate-Basic-Rate-of-Return shall be established--as--of--the--last--day--of--the--calendar--month preceding--the--month--during--which--the--Conditional-Commitment-Better-is issued--for--the--development--by--the--Authority. The Chief Fiscal Officer of the Authority shall certify to the GNMA rate as of the date of the Conditional commitment letter, and the rate shall be fixed at that level.

b) An--Alternate--Basic--Rate--of--Return--higher--than--6%--will--be--established for--a--development--only--if--the--Director--or--Deputy--Director--certifies that--establishment--of--a--higher--rate--of--return--is--consistent--with attracting--private--enterprise--to--acquire--construct--rehabilitate operate--and--maintain--the--development--The--Chief--Fiscal--Officer--of--the Authority--shall--certify--to--the--GNMA--rate--as--of--the--date--of--that Conditional-Commitment-Better--and--the--rate--shall--be--fixed--at--that level--The--decision--to--certify--will--be--made--by--either--the--Director--or Deputy--Director--if--there--is--a--disagreement--between--the--Director--and Deputy--Director--the--decision--of--the--Director--shall--prevail--in--order for--an--Alternate--Basic--Rate--of--Return--higher--than--6%--to--be--approved it--would--have--to--be--established--to--the--satisfaction--of--the--Director--or Deputy--Director--that--but--for--the--increase--in--the--rate--of--return private--enterprise--would--not--be--attracted--to--acquire--construct rehabilitate--operate--and--maintain--the--development--in--making--this determination--and--in--determining--the--amount--of--such--increase--the Director--or--Deputy--Director--shall--consider--but--not--be--limited--to--the competing--market--interest--rates--the--Alternate--lending--sources financial--projections--based--upon--anticipated--rents--debt--service utilities--taxes--and--other--expenses--and--the--comparative--severity--of the--housing--needs

b) For Developments which are eligible for an alternate basic rate of return in excess of 6% pursuant to Sections 310.802(a)(2) or 310.803(a)(2) above, the Authority may establish an annual alternate basic rate of return which shall not exceed, except as provided for in Section 310.805 below, two hundred percent of the yield paid on 30-year GNMA mortgage certificates as of December 1st of the year for

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which the alternate basic rate of return is to be applied. The Chief Fiscal Officer of the Authority shall certify to the GNMA rate as of December 1st of the year for which the alternate basic rate of return is to be applied and the rate shall be fixed at that level.

c) Any increase in the basic rate of return approved pursuant to this Section shall conform with any relevant federal statutes, rules or regulations.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

## Section 310.805 Risk Premium for Special Needs

In addition to the increase to the Alternate alternate Basic Basic Rate rate of Return return established pursuant to Section Sections 310.802 and 310.804 310.803, the Authority through its Director or, in his absence, the Deputy Director, will may establish additional incentives in the form of additional return on equity in excess of the Alternate alternate Basic Basic Rate rate of Return return if the criteria specified in subsections (a), (b) and (c) below are met and if it is determined that the Alternate alternate Basic Basic Rate rate of Return return is necessary. Such additional return will be limited to one additional percentage point of return on owner's Owner's equity Equity to be paid for each of the following factors:

- An--additional--%--return--shall--be--allowed--for--each--additional--5% low income tenant occupancy above the limits set forth in Section 103(b)(4) of the Internal Revenue Code (26 U.S.C. 103(b)(4)(1984));
- Provision of housing for a special housing need, such as elderly facilities, handicapped facilities, or other qualified special needs, as specified in the Illinois--Housing--Development--Authority Act, approved by the Director or, in his absence, the Deputy Director;
- Location of a the development Development within a specially designated Targeted Area (as defined by the U.S. Department of the Treasury under Section 6a.103A-2(b)(5) of the Treasury Regulations issued under 103(b)(4) of the Internal Revenue Code of 1954 (26 CFR 6a. 103A-2(b)(5)(1984)) and 47 Ill. Adm. Code 220.103 or within a State of Illinois Enterprise Zone established pursuant to Ill. Rev. Stat. 1983.921, ch. 67 1/2, pars. 601 et seq.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

## Section 310.806 Increases in the Basic Rate of Return

a) The Basic Rate of Return shall not be increased or decreased during the term of the mortgage Mortgage, except as provided under in Section Sections 310.802--Section-310-803--Section-310-804--and through Section 310.805, inclusive.

b) In--the--event--an--increase--to--the--mortgage--amount--is--made--by--the Authority--during--the--term--of--the--initial--mortgage--the--Basic--Rate--of



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Return--initially--established--as--of--the--date--of--the--Conditional  
Commitment--better--shall--remain--unchanged--

(Source: Amended at 16 Ill. Reg. 10248, effective  
June 16, 1992)

SUBPART I: ENERGY EFFICIENCY STANDARDS FOR NEW AND  
REHABILITATED DEVELOPMENTS

Section 310.901 Statutory Authorization

Pursuant to Section 7.24e of the Illinois Housing Development Act, 111-Rev-  
Stat-1984-Suppl-7-67-1787-part-387-24(e)-the-Illinois-Housing-Development  
Authority (the "Authority") is required to establish rules governing  
minimum energy efficiency standards in developments financed by  
the Authority. It is the purpose of this Subpart to set forth those minimum  
energy standards. After July 1, 1986, no conditional commitment for assisted  
mortgage financing shall be made by the Authority for any new or rehabilitated  
development unless the Director or, in his absence, the Deputy  
Director of the Authority certifies compliance with the minimum energy  
efficiency standards set forth herein. Compliance shall be certified when all  
proposed construction documents comply with this Part. Unless otherwise stated  
herein, the same standards apply to both new and rehabilitated developments  
Developments.

(Source: Amended at 16 Ill. Reg. 10248, effective  
June 16, 1992)

Section 310.902 Definitions

As used in this Part Subpart, the following words or terms mean:

- "A.A.M.A.": Architectural Aluminum Manufacturers Association.
- "A.H.A.M.": Association of Home Appliance Manufacturers.
- "A.N.S.I.": American National Standards Institute.
- "A.R.I.": Air Conditioning and Refrigeration Institute.
- "A.S.H.R.A.E.": The American Society of Heating, Refrigerating and  
Air Conditional Engineers, Inc. as computed by the procedures set  
forth in the ASHRAE Handbook and Product Directory Systems Volume  
(1976).
- "A.S.T.M.": American Society for Testing and Materials.
- "BTU": (British Thermal Unit) is the amount of heat required to raise  
the temperature of one pound of water by one degree Fahrenheit.

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"COP": (Coefficient of Performance - Heating) This is the ratio of  
the rate of net heat output by the heat pump to the rate of total  
on-site energy input to the heat pump, expressed in consistent units  
and under designated rating conditions.

"EER": (Energy Efficiency Ratio) is the ratio of net equipment  
cooling capacity in BTU per hour, to total rate of electric input in  
watts, under designated operating conditions.

"H.D.D.": (Heating Degree Day) is a unit, based upon temperature  
difference and time, used in estimating fuel consumption and  
specifying nominal heating load of a building in winter as computed in  
the procedures set forth in the ASHRAE Handbook and Product Directory,  
Systems Volume (1976).

"H.V.A.C.": Heating, Ventilating and Air Conditioning.

"High Rise Building": is a building which is eighty feet or more  
above grade.

"Low Rise Building": is a building which is less than eighty feet  
above grade.

"N.E.C.": National Electrical Code.

"Northern Illinois": is that portion of the State of Illinois north  
of the southern boundaries of the Illinois counties of Vermillion,  
Champaign, Piatt, Dewitt, Logan, Menard, Cass, Brown and Adams.

"R-Value": (Assembly Insulation Value) is defined as thermal  
resistance, i.e. the reciprocal of thermal conductance as set forth in  
ASHRAE Standard 90A-1980.

"Southern Illinois": is that portion of the State of Illinois south  
of the southern boundaries of the Illinois counties of Vermillion,  
Champaign, Piatt, Dewitt, Logan, Menard, Cass, Brown and Adams.

"U.L.": Underwriters Laboratories located at 333 Pfingsten Road,  
Northbrook, Illinois 60062.

(Source: Amended at 16 Ill. Reg. 10248, effective  
June 16, 1992)

Section 310.913 Rehabilitation Waiver

The Authority shall waive compliance with the minimum energy efficiency  
standards for a rehabilitation development Development if the Director or  
Deputy Director determines that any of the following conditions exist:  
a) Prior to the issuance of an initial commitment, funds have been



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expended-on-planning--designing--architecture--engineering--or-purchase of--the--building--before--the--effective--date--of--the--minimum-energy efficiency-standards-and-but-for-the-waiver-of-compliance--the--owner and/or-developer-would-not-proceed-to-rehabilitate-the-development--

ba) The owner and/or developer submits a cost benefit analysis which demonstrates that compliance with minimum energy efficiency standards would increase the costs of the rehabilitation of the development to the extent that it would be impossible for the Development to meet the costs of debt service and operating expenses while providing housing at low and moderate rentals as those terms are defined in Sections 2(i) and (h) of the Illinois Housing--Development Act--(111--Rev--Stat--1984-Suppr--Ch--67-1/27 pars--302(f) and (h))--Provided-further-that, and the Director or, in his absence, the Deputy Director certifies that there is a serious shortage of decent, safe and sanitary housing available to persons of low and moderate income in that community and that but for the waiver of compliance, the property would not be rehabilitated--or

c b) go-the-extent-that-the The minimum energy efficiency standards are in conflict with the energy efficiency requirements, rules, regulations, practices or procedures of any federal, state State or local governmental entity through which a grant, loan, subsidy, insurance, underwriting or guarantee is provided for the rehabilitation of a development by any such entity--or

d c) go-the-extent-that-the The minimum energy efficiency standards are in conflict with any federal, state State or local law, code or ordinance--or

d) The Development does not meet the specific energy efficiency standards set forth above, but a licensed consulting architect, retained by the Authority, certifies to the Authority that the Development meets standards which are functionally equivalent to the specific energy efficiency standards of this Subpart.

(Source: Amended at 16 Ill. Reg. 10248, effective June 16, 1992)

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1) The Heading of the Part: Americans With Disabilities Act Grievance Procedure

2) Code Citation: 4 Ill. Adm. Code 625

<u>Section Numbers</u>	<u>Adopted Action</u>
625.10	New Section
625.20	New Section
625.30	New Section
625.40	New Section
625.50	New Section
625.60	New Section
625.70	New Section
625.80	New Section
625-Appendix A	New Section

4) Statutory Authority: Implementing Title II, Subtitle A of the Americans with Disabilities Act of 1990 (42 USC 12131-12134), as specified in Title II regulations (28 CFR 35.107) and authorized by the Illinois Explosives Act (Ill. Rev. Stat. 1991, ch. 96 1/2, par. 1-5001).

5) Effective Date of Amendments: June 10, 1992

6) Does this rulemaking contain an automatic repeal date? No

7) Do these amendments contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: June 10, 1992

9) Notice of Proposed Amendments Published in Illinois Register:  
February 14, 1992; 16 Ill. Reg. 2322

10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version:

1) These rules were originally proposed under 2 Ill. Adm. Code 1052, we have now changed them to be proposed under 4 Ill. Adm. Code 625, per the request of the Administrative Code Division, as follows:

Title 4: Discrimination Procedures  
Chapter XXII: Department of Mines and Minerals  
Part 625  
Americans with Disabilities Act Grievance Procedure

2) In Section 625.20, the quotes have been removed before and after



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"(Procedure)"; the comma has been deleted after "1990" and parenthesis have been added to "(42 USC Section 12101)"; and the quotes have been removed before and after "(ADA)".

3) In Section 625.30, the letters "(a) through (e)" have been removed; and in the "Grievance" definition, a comma has been added in the fifth line after "of".

4) In Section 625.50(c), in the fourth line, "complainant" has been put in lower case.

5) In Section 625.60(a), "complainant" has been put in lower case; in Section 625.60(b), "Final Level" has been capitalized and "may" has been changed to "shall"; Section 625.60(c), "complainant" has been changed to lower case; in Section 625.60(e), "panel" has been put in lower case; and in Section 625.60(f), a comma has been added after the word "response" and commas deleted around the statutory citation and parenthesis added around the citation.

6) In Section 625.70, "procedure" has been put in lower case.

7) In Section 625.80, "are" has been changed to "is".

8) In Section 625. Appendix A, parenthesis have been added to "Telephone No.:" (Voice) (TDD):  
 "Best means and time for contacting" has been put in lower case;  
 "Program, service or activity to which access was denied or in which alleged discrimination occurred;" has been put in lower case and the comma deleted after service; "Date of alleged discrimination" has been put in lower case; "Nature of alleged discrimination" has been put in lower case; the comma has been deleted after "services" in the paragraph following "(Back of Form)" and "aides" has been changed to "aids"; in "Estimated cost of modification (if ...)" has been put in lower case; and the comma has been deleted after "service".

12) Have all changes agreed upon by JCAR and the agency been made as indicated in the agreement letter issued by JCAR to the agency? Yes

13) Will these Rules replace an Emergency Rules currently in effect? No

14) Are there any amendments pending on this part? No

15) Summary and Purpose of Rule(s):

These rule changes are intended to conform to the requirement of the Americans with Disabilities Act and in particular Section 35.107 of the Title II federal regulations promulgated to enforce the requirements of

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that act as it applies to state agencies.

16) Information and questions regarding these adopted amendments shall be directed to:

Name: Karen Jacobs  
 Legal Counsel

Address: 300 W. Jefferson, Suite 300  
 P.O. Box 10137  
 Springfield, IL 62791-0137

Telephone: (217) 785-0356

The full text of the Adopted Amendments begin on the next page:



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## TITLE 4: DISCRIMINATION PROCEDURES

## CHAPTER XXII: DEPARTMENT OF MINES AND MINERALS

## PART 625

## AMERICANS WITH DISABILITIES ACT GRIEVANCE PROCEDURE

## Section

625.10 Applicability

625.20 Purposes

625.30 Definitions

625.40 Procedure

625.50 ADA Coordinator Level

625.60 Final Level

625.70 Accessibility

625.80 Case-by-case Resolution

## APPENDIX A Grievance Form

AUTHORITY: Implementing Title II, Subtitle A of the Americans with Disabilities Act of 1990 (42 USC 12131-12134), as specified in Title II regulations (28 CFR 35.107) and authorized by the Illinois Explosives Act (Ill. Rev. Stat. 1991, ch 96 1/2, par. 1-5001).

SOURCE: Adopted at 16 Ill. Reg. 10282, effective June 10, 1992.

## Section 625.10 Applicability

This Part applies to all offices of the Illinois Department of Mines and Minerals.

## Section 625.20 Purposes

- This Grievance Procedure (Procedure) is established pursuant to the Americans with Disabilities Act of 1990 (42 USC 12101 et seq.) (ADA) and specifically Section 35.107 of the Title II regulations, 28 CFR Part 35, requiring that a grievance procedure be established to resolve grievances asserted by qualified individuals with disabilities.
- In general the ADA requires that each program, service and activity offered by the Department, when viewed in its entirety, be readily accessible to and usable by qualified individuals with disabilities.
- It is the intention of the Department to foster open communication with all individuals requesting readily accessible programs, services and activities. The Department encourages supervisors of programs, services and activities to respond to requests for modifications before they become grievances.

## Section 625.30 Definitions

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"ADA Coordinator" means the person appointed by the Department who is responsible for the coordination of efforts of the Department to comply with and carry out its responsibilities under Title II of the ADA, including investigation of grievances filed by complainants. The Department's ADA Coordinator can be contacted at 300 West Jefferson, Suite 300, Springfield IL 62702, 217/782-6791.

"Complainant" means an individual with a disability who files a Grievance Form provided by the Department under the procedure established herein.

"Department" means the Illinois Department of Mines and Minerals.

"Grievance" means any complaint under the ADA by an individual with a disability who meets the essential eligibility requirements for participation in or receipt of the benefits of a program, activity or service offered by the Department, and believes he or she has been excluded from participation in, or denied the benefits of, any program, service or activity of the Department or has been subject to discrimination by the Department.

"Grievance Form" means the form, as provided in Appendix A to this Part, that is required to be completed and submitted to the Department by a complainant to properly maintain a grievance under this Part.

## Section 625.40 Procedure

- Grievances must be submitted through the channels defined below in the form and manner as described within the specified time limits. It is mutually desirable and beneficial that grievances be satisfactorily resolved in a prompt manner. Time limits established in this procedure are in calendar days, unless otherwise stated, and may only be extended by mutual agreement in writing by the complainant and the ADA Coordinator, at the ADA Coordinator Level, or the complainant and the panel chairperson at the Final Level.
- A complainant's failure to submit a grievance or appeal a grievance to the next level of procedure as provided in this Part and within the specified time limits shall mean that the complainant has withdrawn the grievance or has accepted the last response given in the grievance procedure as the Department's final response.
- Upon being informed by an individual that the individual desires to file a formal grievance, the Department shall provide the individual with a copy of this procedure and the Grievance Form.

## Section 625.50 ADA Coordinator Level

- If an individual desires to file a formal written grievance, the individual shall promptly, but no later than 180 days after the alleged discrimination, submit the grievance to the ADA Coordinator in



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writing on the Grievance Form. The Grievance Form must be completed in full in order to receive proper consideration by the ADA Coordinator.

- b) Upon request, assistance shall be provided by the Department to complete the Grievance Form.
- c) The ADA Coordinator, or representative of the ADA Coordinator, shall investigate the grievance and shall make reasonable efforts to resolve it. The ADA Coordinator shall provide a written response to the complainant within ten (10) business days after receipt of the Grievance Form.

## Section 625.60 Final Level

- a) If the grievance has not been resolved at the Designated Coordinator Level to the satisfaction of the Complainant, the complainant may submit a copy of the Grievance Form and ADA Coordinator's response to the Director of the Department for final review. The complainant shall submit these documents to the Director, together with a short written statement explaining the reason(s) for dissatisfaction with the ADA Coordinator's written response, within five (5) business days after receipt by the complainant of the ADA Coordinator's response.
- b) The Director shall appoint a 3-member panel to review the grievance at the Final Level. One member so appointed shall be designated chairperson of the panel. The ADA Coordinator, and any representative of the ADA Coordinator who conducted the investigation at the ADA Coordinator Level, shall not be a member of the panel.

- c) The complainant shall be afforded an opportunity to appear before the panel. The complainant shall have a right to appoint any person as representative to appear on the complainant's behalf before the panel. Such appearance before the panel shall be an informal meeting to discuss the matter at issue. At the informal meeting any panel member shall, in the member's discretion, receive and review any statement or written submission and ask any question the member deems relevant. The panel shall review the ADA Coordinator's written response and the statement of dissatisfaction and may conduct interviews and seek advice, other than from the ADA Coordinator, and consider any statements or written submissions offered at the informal meeting as it deems appropriate.

- d) The panel shall render a decision on the basis of a majority vote and shall make recommendations in writing to the Director as to the proper resolution of the grievance. All recommendations shall include reasons for such recommendations and shall bear the signatures of the panel members concurring in the panel's decision. A dissenting member of the panel may make a recommendation to the Director in writing and shall sign such recommendation.

- e) Upon receipt of recommendations from the panel, the Director shall approve, disapprove or modify the panel recommendations, rendering a decision thereon in writing that states the basis for the decision, and cause a copy of the decision to be served on the complainant. If

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the Director disapproves or modifies the panel recommendations, the Director shall in the written decision state the reason for such disapproval or modification. The Director's decision shall be the final decision of the Department on the grievance.

- f) The Grievance Form, the ADA Coordinator's response, the statement of reason for dissatisfaction, the recommendations of the panel and the decision of the Director shall be maintained in accordance with the State Records Act (Ill. Rev. Stat. 1991, ch. 116, par. 43.3 et seq.) or as otherwise required by law.

## Section 625.70 Accessibility

The Department shall ensure that all stages of the procedure are readily accessible to and usable by individuals with disabilities. The ADA Coordinator shall keep on file a copy of the ADA and its regulations for review at the Department's offices by any individual who requests to review them. The ADA Coordinator, or representative of the ADA Coordinator, shall be available on reasonable notice to answer questions with respect to the rights, privileges and remedies afforded by the ADA and its regulations.

## Section 625.80 Case-by-case Resolution

Each grievance involves a unique set of factors which includes but is not limited to: the specific nature of the disability; the essential eligibility requirements, the benefits to be derived, and the nature of the service, program or activity at issue; the health and safety of others; and whether or not an accommodation would constitute a fundamental alteration to the program, service or activity or undue hardship on the Department. Accordingly, termination of a grievance at any level, whether through the granting of relief or otherwise, shall not constitute a precedent on which any other complainant should rely.



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## Section 625. APPENDIX A Grievance Form

State of Illinois  
Department of Mines and Minerals  
Grievance  
Discrimination Based on Disability

It is the policy of the Department of Mines and Minerals to provide assistance in filling out this form. If assistance is needed, please ask.

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State and Zip Code: \_\_\_\_\_  
Telephone No.: \_\_\_\_\_ (Voice) \_\_\_\_\_ (TDD)  
Best means and time for contacting: \_\_\_\_\_  
Program, service or activity to which access was denied or in which alleged discrimination occurred: \_\_\_\_\_

Date of alleged discrimination: \_\_\_\_\_  
Nature of alleged discrimination: \_\_\_\_\_

(Attach additional sheets, if necessary. If the grievance is based on a denial of a requested reasonable modification, please fill out the back of this form.)

I certify that I am qualified or otherwise eligible to participate in the program, service or activity and the above statements are true to the best of my knowledge and belief.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Please give to the ADA Coordinator.

For Office Use Only

Date Received: \_\_\_\_\_ By: \_\_\_\_\_

IL FORM NUMBER (DATE) \_\_\_\_\_

(BACK OF FORM)

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Please fill out this part of the form if this grievance is based on the denial of a requested reasonable modification. A reasonable modification will be made to make programs, services and activities accessible. Reasonable modification could include such things as providing auxiliary aids and devices and changing some policies and requirements to allow an individual with a disability to participate. This form should be filled in to the extent you know the answers. It may be submitted even if incomplete.

Reasonable modification requested:

The date the reasonable modification was requested:

The person to whom the request was made:

The reason for the denial:

Estimated cost of modification (if an assistive device, such as a TDD or optical reader, or commodity or service to which a cost is readily known):

Why is the requested modification necessary to use or participate in the program, service or activity?

Alternative modifications which may provide accessibility:

Any other information you believe will aid in a fair resolution of this grievance:



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## NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: REFUGEE/ENRANT/REPATRIATE PROGRAM
- 2) Code Citation: 89 Ill. Adm. Code 115
- 3) Section Numbers: Adopted Action:
  - 115.10 Amendment
  - 115.30 Amendment
  - 115.34 Amendment
  - 115.40 Amendment
- 4) Statutory Authority: Sections 12-4.4 thru 12-4.6 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 12-4.4 thru 12-4.6 and 12-13)
- 5) Effective Date of Adopted Amendments: June 19, 1992
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these Adopted Amendments contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: June 19, 1992
- 9) Notice of Proposal Published in Illinois Register:  
December 13, 1991 (16 Ill. Reg. 17897)
- 10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No
- 11) Differences between proposal and final version: No substantive changes were made to the text of the Amendments.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these Adopted Amendments replace Emergency Amendments currently in effect? No
- 14) Are there any Amendments pending on this Part? No
- 15) Summary and Purpose of Adopted Amendments: The proposed rulemaking reduces the maximum eligibility period for Refugee Assistance from twelve (12) months to eight (8) months. This change is the result of a Federal Office of

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Refugee Resettlement directive dated September 11, 1991, reducing the maximum eligibility period for Refugee Assistance. This rulemaking also makes a technical change in the Refugee work registration requirements reflecting the recent increase in the Federal and State minimum wage.

## 16) Information and questions regarding these Adopted Amendments shall be directed to:

## Name:

Judy Umunna  
Bureau of Rules and Regulations

## Address:

Illinois Department of Public Aid  
Jesse B. Harris Building II  
100 South Grand Avenue East, 3rd Floor  
Springfield, Illinois 62762

Telephone: 217/524-3215

The full text of the Adopted Amendments begins on the next page:



## DEPARTMENT OF PUBLIC AID

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TITLE 89: SOCIAL SERVICES  
CHAPTER I: DEPARTMENT OF PUBLIC AID  
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 115  
REFUGEE/ENTRANT/REPATRIATE PROGRAM

Section	
115.1	Incorporation By Reference
115.10	General Provisions
115.20	The Cuban Phasedown Program (Repealed)
115.30	The Refugee Resettlement Program
115.32	Refugee Resettlement Program: Application for Assistance
115.33	Refugee Resettlement Program: Furnishing of Social Security Numbers
115.34	Refugee Resettlement Program: Work Registration/Participation Requirements
115.36	Refugee Resettlement Program: Individuals Exempt From Mandatory Work Registration/Participation Requirements
115.37	Refugee Resettlement Program: Counseling (Repealed)
115.38	Refugee Resettlement Program: Sanctions for Failure to Cooperate With Work Requirements
115.39	Refugee Resettlement Program: Good Cause For Failure to Cooperate
115.40	The Cuban/Haitian/Entrant Program-(Status Pending)
115.50	The Repatriate Program
115.60	Special Provisions Relating to Parolees

**AUTHORITY:** Implementing and authorized by Sections 12-4.5, 12-4.6 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987-1991, ch. 23, pars. 12-4.5, 12-4.6 and 12-13).

**SOURCE:** Filed and effective December 30, 1977; emergency amendment at 2 Ill. Reg. 28, p. 2, effective June 1, 1978 for a maximum of 150 days; amended at 2 Ill. Reg. 48, p. 60, effective November 25, 1978; amended at 5 Ill. Reg. 2786, effective March 3, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 6 Ill. Reg. 11921, effective September 21, 1982; codified at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 16109, effective November 22, 1983; amended at 8 Ill. Reg. 6804, effective May 3, 1984; amended at 9 Ill. Reg. 2296, effective February 5, 1985; amended at 13 Ill. Reg. 3932, effective March 10, 1989; amended at 13 Ill. Reg. 13631, effective August 14, 1989; amended at 14 Ill. Reg. 773, effective January 1, 1990; amended at 14 Ill. Reg. 10438, effective June 20, 1990; amended at 16 Ill. Reg. 10291 effective June 19, 1992.

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NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

## Section 115.10 General Provisions

- a) The Department administers the Refugee Resettlement Program (RRP), the Cuban/Haitian Entrant (Status Pending) Program (CHEP), and the Repatriate Program in Illinois.
- b) For the Refugee Resettlement Program and the Cuban/Haitian Entrant (Status Pending) Program, assistance shall be authorized on the basis of the Aid to Families with Dependent Children (AFDC) Payment Level. The following case compositions define the level of issuance:
  - 1) Single Adult (age 18 or older).
  - 2) Family cases must include at least one eligible child. Only the following adults may be included:
    - A) A specified relative of the child and the spouse of the specified relative; or
    - B) The legal guardian of child and the spouse of the legal guardian; or
    - C) The unrelated caretaker of a child and the spouse of the unrelated caretaker.
- c) Resources to be considered in all situations are those immediately available for use at the time financial assistance is needed. Available resources are to be considered when they are in existence, the value is ascertainable, they are under the control of the recipient, and can be drawn upon for maintenance.
- d) For the Refugee Resettlement Program assistance may not ordinarily be furnished for more than 18-eight (8) months after the date of entry. The Cuban/Haitian Entrant (Status Pending) Program is limited to 12-eight (8) months after the specific date.
- e) The following provisions are applicable to the RRP and CHEP programs:
  - 1) To be eligible for RRP and CHEP, a family or individual(s) must be ineligible for categorical



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## Section 115.10(e)(1) (continued)

## Section 115.10(e)(3) (continued)

- assistance (AFDC, Aid to the Aged, Blind or Disabled (AABD), and related Medical Assistance No Grant (MANG) programs);
- 2) The individuals must avail themselves of all potential resources including application for and acceptance of Supplemental Security Income (SSI) and categorical assistance; and
- 3) The following provisions of the AFDC program (See 89 Ill. Adm. Code 112) are applicable to the RRP:
- A) Client and Department rights and responsibilities. Refugees or parolees who are potentially eligible for SSI must apply for SSI.
  - B) Application for assistance (not eligible for \$100 compensatory payment or Presumptive Eligibility (PE) authorization). All refugees over 18 years of age must sign the application.
  - C) Citizenship.
  - D) Residence. Temporary absence from the home does not apply to RRP.
  - E) Client Cooperation.
  - F) Furnishing of Social Security Numbers
  - G) Registration/Participation requirements.
  - H) Assets.
  - I) Income. All non-exempt income, including income from the Voluntary Sponsoring Agency (VOLAG) must be budgeted. The earned income exemption (\$30 + 1/3 does not apply).
  - J) Support from responsible relatives (Non-Title IV-D (42 U.S.C. 651 et seq.) provisions).
  - K) Personal Injury.

- L) Other financial benefits (i.e., the child care for work and training and other benefits described in 89 Ill. Adm. Code 112.308).

## M) Standards:

For a single adult case, the following payment levels apply:

- i) Group I Counties  
\$212.00 monthly
- ii) Group II Counties  
\$204.00 monthly
- iii) Group III Counties  
\$173.00 monthly

## N) Special authorizations.

- O) Medical Assistance standard (use the MANG(C) standard if Medical Assistance only is authorized; for a household of one, the Medical-Only Standard is \$283/month).

## P) Redetermination of Eligibility:

- i) Monthly reporting does not apply to RRP.
- ii) Refugee recipients are not included in central redeterminations.
- iii) The Department must contact the VOLAG (See Section 115.32 for information to request).

## Q) Case Records.

## R) Medical Services.

## S) Funeral and Burials.

## T) Incorrect Payments.

## U) Special Projects.



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## Section 115.10(e)(3) (continued)

- V) Crisis Assistance Programs (i.e., the Hardship Program, the Special Assistance Program and the Emergency Assistance Program described in 89 Ill. Adm. Code 116).
- W) Replacement of lost or stolen warrants.
- 4) In family cases, the parent (or other responsible person making application) is to be designated as the payee. In adult cases, the recipient is to be the payee.
- f) Individuals receiving assistance under these three programs are eligible to participate in the food stamp program if they meet the eligibility requirements of the Food Stamp Program.

(Source: Amended at 16 Ill. Reg. <sup>10291</sup>, effective June 19, 1992)

## Section 115.30 The Refugee Resettlement Program

- a) The Refugee Resettlement Program (RRP) provides for the authorization of assistance (financial and medical) for eligible needy refugees from any nation and for certain Amerasian immigrants from Vietnam (and their close family members) as determined by the Immigration and Naturalization Service.
- b) In order to be eligible to be included in a Refugee Resettlement assistance unit, an individual must be a refugee, admitted into the United States (U.S.) as a refugee, or be an Amerasian born in Vietnam between January 1, 1962, and January 1, 1976, (or a close family member of such an Amerasian) and admitted to the United States (U.S.) as an immigrant under the Orderly Departure Program (P.L. 96-212) on March 20, 1988.
- c) Individuals may be eligible for refugee assistance for 12-eight (8) months from the date of entry into the United States. Individuals who have lived in the U.S. more than 12-eight (8) months but not more than 24-months may be eligible for refugee-related General Assistance State Family and Children Assistance or Transitional Assistance.

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

## Section 115.30 (continued)

- d) A child born to refugee parents may be included in the assistance unit even though the child was born in the U.S., as long as both parents are refugees.

(Source: Amended at 16 Ill. Reg. <sup>10291</sup>, effective June 19, 1992)

## Section 115.34 Refugee Resettlement Program: Work Registration/Participation Requirements

- a) As a condition of eligibility for refugee cash assistance, all nonexempt refugees age 16 through 64-59, must register for employment with the Refugee Job Placement Agency if there is one in the area designated by the Refugee Job Placement Agency, or with Job Service if there is no Refugee Job Placement Agency.
- b) After registration is completed, a nonexempt individual is required to participate by:
- 1) continuing employment;
  - 2) responding to an appropriate job referral (see Section 115.34 (c) below);
  - 3) accepting an appropriate offer of employment (see Section 115.34 (c) below);
  - 4) participating in English language training if working less than 100 hours per month if available and appropriate as determined by VOLAG; and
  - 5) participating in job skill training if working less than 100 hours per month if available and appropriate as determined by VOLAG.
- c) Appropriate work or training must meet the following criteria;
- 1) Work may be temporary, permanent, full time, part time or seasonal.
  - 2) The wage shall meet or exceed the Federal {~~\$3.35-an-hour~~} ~~or~~ and State {~~\$2.65-an-hour~~} minimum



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## Section 115.34(c)(2) (continued)

## Section 115.40(b) (continued)

wage of \$4.25 an hour law, whichever is applicable, if neither law is applicable, the wage must be as much as the wage paid for similar work, but in no case can it be less than three-fourths of the State minimum wage rate (\$1.99 an hour) of the sub-minimum training wage of \$3.75 an hour for persons under age 18.

3) The daily hours of work and the weekly hours of work shall not exceed those customary to the occupation (as defined at Section 1 et seq. of "An Act making eight hours a legal day's work the Eight Hour Work Day Act" (Ill. Rev. Stat. 1983-1991, Ch. 48, Par. 1 et seq.).

4) Based on an assessment of the client's educational background, employment history and training, the job or training assignment must be within the physical and mental capability of the individual to perform the task on a regular basis.

5) The total daily commuting time to and from the work or training site shall not exceed two hours. This does not include time required to take a child to and from a child care facility.

6) The work or training site to which the individual is assigned must not have been cited by the appropriate regulatory agency as having violated Federal, State, or local health and safety standards.

(Source: Amended at 16 Ill. Reg. 10291, effective June 19, 1992)

## Section 115.40 The Cuban/Haitian/Entrant Program (Status Pending)

## The Cuban/Haitian/Entrant Program (Status Pending)

a) The Cuban/Haitian Entrant Program (Status Pending) Program (CHEP) provides for the authorization of assistance (financial and medical) for eligible needy Cuban and Haitian entrants (Status Pending) including applicants for asylum and parolees issued documentation on or after April 21, 1980.

b) Assistance is limited to 18-eight (8) months from the

date the entrant is granted parole or is otherwise issued documentation by the Immigration and Naturalization Services. Cuban/Haitian Entrants or applicants for asylum who have been admitted or paroled into the United States more than 18-eight (8) months but not more than 26-months may be eligible for Cuban/Haitian Entrant-related General Assistance State Family and Children Assistance or Transitional Assistance.

c) A child born to Cuban or Haitian entrant parents may be included in the assistance unit even though the child was born in the U.S., as long as both parents are Cuban or Haitian entrants.

(Source: Amended at 16 Ill. Reg. 10291, effective June 19, 1992)



## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of Part: The Consultative Examination Process

- 2) Code Citation: 89 Ill. Adm. Code 840

- 3) Section Numbers:

840.10	Amendment	<u>Adopted Action:</u>
840.20	Amendment	
840.30	Amendment	
840.40	Amendment	
840.50	Amendment	
840.60	New section	
840.70	New section	
840.75	Amendment	
840.80	Amendment	
840.90	Amendment	
840.95	New section	
840.100	New section	
840.105	New section	
840.110	New section	
840.115	New section	

- 4) Statutory Authority: Implementing Section 3(a) and authorized by Section 3(k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a) and (k)).

- 5) Effective Date of Amendments: June 15, 1992

- 6) Does this rulemaking contain an automatic repeal date? Yes ☒ No ☐

- 7) Does this amendment contain incorporations by reference? Yes ☒ No ☐

- 8) Date Filed in Agency's Principal Office: July 30, 1991

- 9) Notice of Proposal Published in Register: October 25, 1991 15 Ill. Reg. 15390 (issue date)

- 10) Has JCAR Issued a Statement of Objections to this (these) Rules? No

- 11) Difference(s) between proposal and final version: There are no differences between the proposed rules and the final rules.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No changes in this rulemaking were suggested by JCAR.

- 13) Will these amendments replace an Emergency Rule(s) currently in effect?  
No

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- 14) Are there any other amendments pending on this Part? No

- 15) Summary and purpose of Amendment(s): These amendments clarify the Department's policies and procedures for the Bureau of Disability Determination Services regarding the consultative examination process.

- 16) Information and answers to questions regarding this adopted rule shall be directed to:

Ms. Susan Warner  
Regulations and Procedures Section  
Department of Rehabilitation Services  
P.O. Box 19429  
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896  
T.D.D.: (217) 782-5734

The full text of the Adopted Amendments begins on the next page:



## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES  
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES  
SUBCHAPTER g: BUREAU OF DISABILITY DETERMINATION SERVICES

## PART 840

## THE CONSULTATIVE EXAMINATION PROCESS

## SUBPART A: CONSULTATIVE EXAMINATION PROCEDURES

Section	
840.10	Definitions
840.11	Incorporation by Reference
840.20	Criteria for Purchase of Consultative Examinations
840.30	Type of Purchased Consultative Examinations
840.40	Selection of a Source
840.50	Arranging for a Consultative Examination
840.60	Failure or Refusal to Appear for Consultative Examination
840.70	Sending Consultative Examination Report to Claimant's Treating Source

## SUBPART B: MONITORING AND MANAGING THE CONSULTATIVE EXAMINATION PROCESS

Section	
840.75	Consultative Examination Report Content
840.80	Review of Consultative Examination Reports
840.90	Consultative Examination Oversight Plan
840.95	Program Integrity
840.100	Conflict of Interest
840.105	Handling Situation When Properly Signed Report Not Received
840.110	Claimant Evaluation of Consultative Examination Providers
840.115	Monitoring Qualifications of Consultative Examination Provider's Support Staff

## Appendix A Preferred Consultant Types

Authority: Implementing Section 3(a) and authorized by Section 3(k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a) and (k)).

Source: Adopted at 11 Ill. Reg. 9315, effective April 28, 1987; amended at 16 Ill. Reg. 10301, effective June 15, 1992

## SUBPART A: CONSULTATIVE EXAMINATION PROCEDURES

## Section 840.10 Definitions

"Adjudicative staff" means the staff who participate in making disability determinations.

"Bureau" means the Bureau of Disability Adjudication Determination

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Services within the Illinois Department of Rehabilitation Services.

"Chief Medical Consultant" means the physician within the Bureau who, together with the Medical Relations Unit, has responsibility for coordinating and monitoring the panel of physicians who perform consultative examinations for the Bureau.

"Consultative examination" (CE) means a medical examination purchased by the Bureau from an attending a treating physician or psychologist, another source of record, or an independent source to secure additional information necessary to make a disability determination or to resolve conflicting information.

"Curriculum vitae" means a summary of academic and professional qualifications submitted to the Bureau by consultative examination providers for review and approval.

"Department" means the Illinois Department of Rehabilitation Services.

"Evidence" means any information submitted relative to a claim for disability as described in the Code of Federal Regulations 20 CFR 404.1512 and 416.912 as amended August 1, 1991.

"Geographical section" means the operational component of the Bureau which is composed of five adjudicative units and is set up to provide service to disability claimants according to their place of residence.

"Hold status" means a situation where there is a temporary suspension of referrals to a consultative examination provider due to inability to schedule appointments within 30 days, unacceptable reports, pending Bureau investigation as described in Section 840.90(b)(3), late reports, or provider request.

"Key provider" means a consultative examination provider that meets at least one of the following conditions described in the Code of Federal Regulations 20 CFR 404.1519s and 416.919s as amended August 1, 1991.

Any consultative examination provider with estimated annual billings to Social Security disability programs of at least \$100,000; or

Any consultative examination provider or facility where the practice is primarily directed toward evaluation examinations rather than the treatment of patients; or



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Any consultative-examination-provider-that-does-not-meet-the above-criteria;-but-is-one-of-the-top-five-consultative examination-providers;-by-dollar-volume;-in-the-State-as evidenced-by-data-from-the-year-immediately-prior-

"Medical or psychological consultants" means those physicians and psychologists who work directly for the Bureau or under contract and also those who do review and adjudication work in the Bureau.

"Program Operations Manual System (POMS)" means the policies and procedures of the Social Security Administration which set forth the objectives and requirements of the disability programs and furnish the standards with which Social Security Administration operating components must comply in the administration of the functions they perform. The Social Security Act is the basis for all standards set forth in the Program Operations Manual System.

"Treating source" means a medical source currently providing treatment to a claimant for alleged or documented impairments as described in the Code of Federal Regulations 20 CFR 404.1502 and 416.902 as amended August 1, 1991.

(Source: Amended at 16 Ill. Reg. 10301, effective June 15, 1992

## Section 840.20 Criteria for Purchase of Consultative Examinations

The Bureau incorporates the criteria specified in the Program-Operations Manual-System;-PI-22510-001;-PI-22510-005;-PI-22510-010-and-PI-22510-015 amended-January;-1986 Code of Federal Regulations 20 CFR 404.1517, 404.1519, 404.1519a, 404.1519b, 416.917, 416.919, 416.919a and 416.919b as amended August 1, 1991.

(Source: Amended at 16 Ill. Reg. 10301, effective June 15, 1992

## Section 840.30 Type of Purchased Consultative Examinations

a) The Bureau incorporates the standards set forth in the Program Operations-Manual-System;-PI-22510-029-as-amended-January;-1986 Code of Federal Regulations 20 CFR 404.1519f and 416.919f as amended August 1, 1991.

b) The Bureau uses the consultant types listed in Part 840, Appendix A to determine the preferred specialty for consultative examinations. Appendix A lists the consultant types in order of preference by body system and is adhered to unless the specialty is unavailable in the geographic area in which a claimant resides.

(Source: Amended at 16 Ill. Reg. 10301, effective June 15, 1992

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## Section 840.40 Selection of a Source

a) The Bureau incorporates the following criteria described in the Program-Operations-Manual-System;-PI-22510-025;-and-PI-22510-030-and PI-22510-035-as-amended-January;-1986-and-April;-1987 Code of Federal Regulations 20 CFR 404.1519g, 404.1519h, 416.919g, and 416.919h as amended August 1, 1991.

b) If the attending treating physician or psychologist is not used to perform the consultative examination, then an independent source who has been accepted by the Bureau as a consultative examination provider will be selected according to the geographic location of the claimant and the medical specialty required for the examination as listed in Section 840-30. Arrangements will be made to hold the examination as close as possible to the claimant's home. Every effort will be made to avoid requesting the claimant to travel long distances (e.g.; more than 100 miles round trip). If the claimant is unable to travel to the place of the examination because of health reasons; incarceration or institutionalization; arrangements will be made to have the examination at the individual's own home or institution Code of Federal Regulations 20 CFR 404.1519i, 404.1519j, 416.919i, and 416.919j as amended August 1, 1991, and POMS DI 22510.011 as amended August 1991.

c) A If a source other than the claimant's treating physician or psychologist is used for a purchased examination or test, a claimant will be provided with the name of one consultant for each examination requested using the following criteria:

- 1) Claimants will be referred to consultants as close as possible to the claimant's place of residence;
- 2) Consultants will be fluent in English or will speak the language of the claimant. If there is no consultant available who speaks the claimant's language, then the Bureau will assist the claimant in arranging for an interpreter. The Bureau will pay for an interpreter if payment is requested.
- 3) Consultants placed on "hold status" will not be selected;
- 4) Consultants listed as previously used for a claimant will not be selected.

(Source: Amended at 16 Ill. Reg. 10301, effective June 15, 1992

## Section 840.50 Arranging for a Consultative Examination



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a) The Bureau incorporates the standards as stated in the Program Operations Manual System BI 22510-045 paragraphs (A); (B); (6); (B) and (E) as amended January, 1986 Code of Federal Regulations 20 CFR 404.1519k, 404.1519m, 404.1519n, 416.919k, 416.919m, and 416.919n as amended August 1, 1991.

b) The Bureau has established the following procedure when arranging for a consultative examination:

1) The claimant will be sent a written notice explaining: as described in POMS DI 22510.016D as revised August 1991.

A)---The need and reasons for a consultative examination;

B)---That the examination will be performed at the Bureau's expense;

6)---That the claimant can be reimbursed for travel expenses and how to request reimbursement;

B)---That it is the claimant's responsibility to appear for the examination; and if unable to attend; to notify the Bureau prior to the scheduled appointment;

E)---That if a claimant has been requested to schedule an appointment and has not done so after ten days or if the claimant does not appear for the examination at the time and place indicated and does not have good cause according to the criteria in the Program Operations Manual System BI 22510-055(B); a decision will be made based on the evidence in file which may result in a finding of no disability or blindness;

F)---That the claimant will either make an appointment with a consultant or confirm an appointment which has been pre-scheduled;

6)---The type of examination and tests to be performed and any special instructions for the tests;

H)---That a leaflet is attached; Social Security Administration (SSA) Publication No- 95-10087; entitled "A Message From Social Security About the Special Medical Examination Needed for Your Disability Status;"

I)---That the claimant can have a copy of the consultative examination report sent to his/her own doctor upon the claimant's written request.

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2) In the event that the claimant has a representative, the Bureau will follow the criteria specified in the Program Operations Manual System BI 22510-045(B) as amended January, 1986 POMS DI 22510.016E as revised August 1991.

3) A voucher authorization explaining the type of examination and tests to be performed, how the appointment will be scheduled, and how to complete the vouchers for payment will be sent to the examining consultant.

4) If a source other than the attending treating physician or psychologist is used, background disability material will be sent to the consultant for review prior to the examination.

5) When a claimant objects to the consultant used for the examination, the Bureau will follow the criteria specified in the Program Operations Manual System BI 22510-025(B) and (6) as amended April, 1987 and BI 22510-055(B) as amended January, 1986 POMS DI 22510.010 as revised August 1991.

6) When a claimant objects to the date or time of the scheduled examination, the Bureau will follow the criteria specified in the Program Operations Manual System BI 22510-025(B) and (6) and BI 22510-055(B) as amended January, 1986 POMS DI 22510.017 as revised August 1991.

7) If a claimant does not schedule an appointment within ten days of a request to do so; the claimant will be recontacted and asked again to schedule an appointment within ten days. If there is an indication in file that the claimant is unable to act in his or her own behalf or to understand a written notice; assistance will be offered to the claimant: if assistance is required; contact will be made with family members; interested third parties or the Social Security Administration district office. If, after the second ten days; no appointment has been scheduled; then a determination will be considered based on the evidence in file. In regard to consultative examination follow-up schedules with claimants, the Bureau will follow the criteria set forth in the POMS DI 22510.017 as revised August 1991.

8)---Five days prior to a scheduled examination; the claimant will be contacted by telephone or by mail to remind him or her of the appointment date and time.

9)---When a claimant does not keep a scheduled appointment; the Bureau will follow the criteria specified in the Program Operations Manual System BI 22510-055(A); (B); (6); and (B) as



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amended January; 1986: A claimant who misses an appointment will be excused for lack of a reminder when the Department fails to contact the claimant:

11 8) A claimant will be reimbursed for travel according to the policy stated in the Code of Federal Regulations 20 CFR 404.999a, 20 CFR 404.999b, 20 CFR 404.999c, 20 CFR 404.999d, 20 CFR 416.1495, 20 CFR 416.1496, and 20 CFR 416.1499 as amended March 14, 1986; and POMS DI 39525 as amended February 1989. Reimbursement for travel, meals, and lodging will be made in accordance with 80 Ill. Adm. Code 2800.

11 2) A consultant making a home visit will be paid \$20.00 plus \$.40 19 per mile or a minimum of \$.50 for travel and for mileage, if mileage is over 12 miles round trip from the consultant's office or home. Mileage will be computed using the most direct route from the consultant's office/home to the claimant's home.

(Source: Amended at 16 Ill. Reg. 10301, effective June 15, 1992

Section 840.60 Failure or Refusal to Appear for Consultative Examination

The Bureau will handle a situation in which the claimant fails or refuses to appear for a consultative examination according to the specifications of 89 Ill. Adm. Code 843.150.

(Source: Added at 16 Ill. Reg. 10301, effective June 15, 1992

Section 840.70 Sending Consultative Examination Report to Claimant's Treating Source

The Bureau will send a copy of the consultative examination report upon request, following the specifications in POMS DI 22510.030 as amended August 1991.

(Source: Added at 16 Ill. Reg. 10301, effective June 15, 1992

SUBPART B: MONITORING AND MANAGING THE CONSULTATIVE EXAMINATION PROCESS

Section 840.75 Consultative Examination Report Content

a) The Bureau incorporates the standards listed in the Program Operations Manual System DI 22510-060(A); (B) and (C) amended January; 1986 Code of Federal Regulations 20 CFR 404.1519n, 20 CFR 416.919n as amended August 1, 1991, and POMS DI 22510.021 - 22510.027 as revised August 1991.

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b) To ensure that uniform standards are used in preparing consultative examination reports, the Bureau provides each consultant with a packet containing sample reports for his or her specialty.

c) The first three five reports of new consultants are reviewed for acceptable report content according to the standards set forth in the Program Operations Manual System DI 22510-060(C) amended January; 1986 Code of Federal Regulations 20 CFR 404.1519n, 20 CFR 416.919n as amended August 1, 1991, and POMS DI 22510.021 - 22510.027 as revised August 1991.

d) The Bureau conducts an ongoing review of cases with regard to consultative examination report content as described in the criteria in the Program Operations Manual System DI 22510-060(A); (B) and (C) amended January; 1986 standards incorporated in 89 Ill. Adm. Code 840.75a.

(Source: Amended at 16 Ill. Reg. 10301, effective June 15, 1992

Section 840.80 Review of Consultative Examination Reports

a) The Bureau incorporates the standards set forth in the Program Operations Manual System DI 22510-060(A) and (B) amended January; 1986 Code of Federal Regulations 20 CFR 404.1519p and 416.919p as amended August 1, 1991.

b) The Bureau also adheres to the following procedures with regard to reviewing reports of consultative examinations:

1) Ongoing review of cases will be performed with regard to consultative examination report content and adherence by adjudicative staff and providers to procedural criteria (e.g., guidelines for arranging for, conducting, and reporting consultative examinations) as specified in POMS DI E39545.430 - .435 as revised August 1991.

2) Special studies of the consultative examination process will be conducted according to POMS DI E39545.430 - .435 as revised August 1991. Areas of study shall include but are not limited to:

A) Random sample study of report content of specific key providers;

B) Time study to determine length and efficiency of consultative examination process, the internal validity



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of the CE report and the consistency of the CE report compared to other medical information in file.

- 3) A) An ongoing review of consultative examinations will be conducted on a monthly basis within each geographic section.
- 4) The first three reports of new consultants will be reviewed for adherence to acceptable report content per Section 840.75.

(Source: Amended at 16 Ill. Reg. 10301, effective June 15, 1992

## Section 840.90 Consultative Examination Oversight Plan

- a) The Bureau incorporates the standards described in the Program Operations Manual System; BI 39545-220; BI 39545-225; BI 39545-400(6) and BI 39545-410 as amended January, 1986 will conduct a consultative examination oversight following the specifications set forth in the Code of Federal Regulations 20 CFR 404.1519s, 404.1519t, 416.919s, and 416.919t as amended August 1, 1991, and POMS DI E39545.400 - .425 as revised August 1991.

- b) The Bureau also uses the following procedures with regard to establishment of a consultative examination oversight plan:

- 1) The following steps will be taken with regard to recruitment of the consultative panel:

- A) The Bureau will undertake active recruitment of the consultative panel by contacting county medical societies, medical schools, Department field offices, physicians, clinics and various other medical sources in the community by mail, telephone and in person indicating Bureau needs and explaining the consultative examination process.
- B) After a potential consultant has agreed to accept the Bureau's medical fees, perform examinations and testing according to the Bureau's requirements and submit examination reports per the Bureau's criteria concerning substance, quality and timeliness, a curriculum vitae will be requested.

- C) The curriculum vitae will be reviewed and approved or disapproved by the Chief Medical Consultant. If the curriculum vitae is not approved, the consultant will be notified and will be informed of the reason(s) for

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disapproval and what, if any, actions can be taken to correct the problems.

- D) After review and approval of the curriculum vitae, the following actions will be taken:

- i) The medical board of a physician consultant's specialty will be contacted to verify certification or eligibility for certification for the particular specialty (e.g., internal medicine, psychiatry, neurology, etc.).
- ii) The Illinois Department of Registration and Education will be contacted to verify that the consultant is licensed and to determine if any disciplinary action has been taken or is pending against the consultant.
- iii) The State of Illinois Comptroller's office will be contacted if the consultant indicates employment by another State agency. If the consultant is employed full-time by another State agency, then the Bureau will request that the consultant obtain a waiver from the Governor's office to perform consultative examinations and submit it to the Bureau.

- iv) If it is determined that the consultant is not board certified or eligible for certification (except if the consultant is the claimant's treating physician or psychologist), is not licensed or has had disciplinary action taken or is pending, or has not or refuses to sign a waiver as described in Section 840.90(b)(1)(D)(iii) then the consultant will be given written notification that the Bureau will not accept his or her application to perform consultative examinations. He or she will be informed of the reasons for nonacceptance. The Bureau will indicate that, if the situation is rectified at a later time, the consultant can reapply.

- E) Orientation According to the Code of Federal Regulations 20 CFR 404.1519s and 416.919s, orientation will be conducted before a consultant receives any referrals for examinations. The consultant will be given an orientation packet consisting of information on the Social Security disability program, medical evidence and



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consultative examination report requirements, consultative examination procedures, telediction service, and confidentiality of records. He or she will also be given a copy of the Privacy Act of 1974 (5 U.S.C. 552a and 552a note), Handbook for Physicians, the Bureau's fee schedule, sample examination reports and sample invoice-vouchers. The consultant will provide information for completion of a Consultative Panel Information Form which contains information about the consultant's practice and x-ray, laboratory and testing procedures. The consultant will sign a Medical Disclosure Acknowledgement Form which explains that the consultant is prohibited from unauthorized disclosure of information obtained in conjunction with the Social Security disability program.

- 2) At least one unannounced visit per year will be made to the key provider facilities as a means of providing an onsite review of the facilities. According to the Code of Federal Regulations 20 CFR 404.1519s and 416.919s as amended August 1, 1991, the Bureau will undertake a program of systematic, onsite reviews of key providers that will include annual onsite reviews of such providers when claimants are present for examinations. The Bureau will use the review protocol for onsite reviews as specified in POMS DI E39545.445 and E39545.900 as revised August 1991.

- 3) The following situations are subject to investigation and shall result in removal of a consultative examination provider from the consultative panel, if the situation is not resolved:

- A) claimant complaints
- B) conflict of interest; i.e.; affiliation with another person or institution which might bias the consultant in reporting his or her evidence as described in Code of Federal Regulations 20 CFR 404.1519a and 416.919a as amended August 1, 1991
- C) evidence of fraud in report preparation
- D) facility in which exams are performed is unacceptable (e.g., inaccessible by disabled individuals persons with disabilities; the location, facility, equipment, or staff are not hygienic; improper use of equipment or equipment unacceptable per disability program requirements; license not displayed)

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- E) unacceptable reports (e.g., objective evidence not provided, use of decisional comments, brevity to the point that completeness of exam is questionable)
- F) late reports
- G) license revoked or suspended
- H) fees which are above the usual and customary fees requested by other consultants in the area where the consultant is located
- I) American Medical Association complaints
- J) any other situation which is detrimental to the claimant or the claimant's determination of disability or blindness
- K) death, retirement, request to be removed from panel.
- 4) The consultant will be given the opportunity to submit evidence on his or her behalf and to correct the problems when possible. Referrals to the consultant may be suspended pending the outcome of an investigation.

(Source: Amended at 16 Ill. Reg. 10301, effective June 15, 1992

#### Section 840.95 Program Integrity

The Bureau will ensure program integrity by following the guidelines set forth in the Code of Federal Regulations 20 CFR 404.1503a and 416.903a as amended August 1, 1991.

(Source: Added at 16 Ill. Reg. 10301, effective June 15, 1992

#### Section 840.100 Conflict of Interest

The Bureau will avoid all implications of possible conflict of interest between medical or psychological consultants and their medical or psychological practices by following the guidelines indicated in the Code of Federal Regulations 20 CFR 404.1519q and 416.919q as amended August 1, 1991.

(Source: Added at 16 Ill. Reg. 10301, effective June 15, 1992

#### Section 840.105 Handling Situation When Properly Signed Report Not Received



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The Bureau will take action when a properly signed report of consultative examination has not been received by following the guidelines specified in the Code of Federal Regulations 20 CFR 404.1519g and 416.919g as amended August 1, 1991.

(Source: Added at 16 Ill. Reg. 10301, effective June 15, 1992

Section 840.110 Claimant Evaluation of Consultative Examination Providers

The Bureau will conduct claimant evaluation of consultative examination providers according to the guidelines set forth in POMS DI E39545.450 as revised August 1991.

(Source: Added at 16 Ill. Reg. 10301, effective June 15, 1992

Section 840.115 Monitoring Qualifications of Consultative Examination Providers' Support Staff

The physician or psychologist selected to perform a consultative examination may use support staff to help with the examination as described in the Code of Federal Regulations 20 CFR 404.1519g and 416.919g as amended August 1, 1991. The Bureau will follow the criteria indicated in POMS DI E39545.425 as revised August 1991 to monitor qualifications of consultative examination providers' support staff.

(Source: Added at 16 Ill. Reg. 10301, effective June 15, 1992

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1) Heading of Part: Disability Case Development Process

2) Code Citation: 89 Ill. Adm. Code 843

3) Section Numbers: Adopted Action:

843.10	Amendment
843.20	Amendment
843.30	Amendment
843.50	Amendment
843.60	Amendment
843.61	New section
843.70	Amendment
843.80	Amendment
843.120	Amendment
843.121	New section
843.130	Amendment
843.150	Amendment
843.160	Amendment
843.180	Amendment

4) Statutory Authority: Implementing Section 3(a) and authorized by Section 3(k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a) and (k)).

5) Effective Date of Amendments: June 15, 1992

6) Does this rulemaking contain an automatic repeal date? Yes ☒ No

7) Does this amendment contain incorporations by reference? Yes ☒ No

8) Date Filed in Agency's Principal Office: July 30, 1991

9) Notice of Proposal Published in Register: October 25, 1991 15 Ill. Reg. 15405 (issue date)

10) Has JCAR Issued a Statement of Objections to this (these) Rules? No

11) Difference(s) between proposal and final version: Differences between the proposed rules and the final rules are indicated in the Agreements between the Joint Committee and the Department of Rehabilitation Services.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these amendments replace an Emergency Rule(s) currently in effect? No



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NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES

CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES

SUBCHAPTER g: BUREAU OF DISABILITY DETERMINATION SERVICES

PART 843

DISABILITY CASE DEVELOPMENT PROCESS

SUBPART A: INITIAL, RECONSIDERATION, AND REOPENING CASE DEVELOPMENT

Section	Definitions
843.10	Incorporation by Reference
843.11	Preliminary Case Action
843.20	Medical Evidence of Record Development
843.30	Consultative Examination Procedure
843.40	Vocational Evidence Development
843.50	Daily Activities Development for Mental Impairment Claims
843.60	Case Development for Supplemental Security Income (SSI) Claimants Under Age Eighteen

SUBPART B: CONTINUING DISABILITY REVIEW (CDR) CASE DEVELOPMENT

Section	Contact With Claimants
843.70	Medical Evidence of Record Development
843.80	Conflicts Between the Individual and the Medical Source
843.90	Consultative Examination Procedure
843.100	Vocational Evidence Development
843.110	Cessation Without Full Medical Development (Clear-Cut Cessation)
843.120	Evaluation of Continuing Disability for SSI Childhood Claims
843.121	

SUBPART C: SPECIAL ISSUES AFFECTING CASE DEVELOPMENT

Section	Capacity Development
843.130	Claimant Representative Involvement
843.140	Issues Which Necessitate Curtailing Development
843.150	Issues Which Necessitate Reopening a Prior Decision
843.160	Disposition of Trailer Mail
843.170	Processing Out-of-State Court Cases
843.180	

AUTHORITY: Implementing Section 3(a) and authorized by Section 3(k) of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a) and (k)).

SOURCE: Adopted at 12 Ill. Reg. 13996, effective August 23, 1988; amended at 13 Ill. Reg. 4298, effective March 15, 1989; amended at 15 Ill. Reg. 8294, effective May 16, 1991; amended at 16 Ill. Reg. 10316, effective June 15, 1992.

14) Are there any other amendments pending on this Part? No

15) Summary and purpose of Amendment(s): These amendments clarify the Department's policies and procedures for the Bureau of Disability Determination Services regarding the disability case development process.

16) Information and answers to questions regarding this adopted rule shall be directed to:

Ms. Susan Warner  
Regulations and Procedures Section  
Department of Rehabilitation Services  
P.O. Box 19429  
Springfield, Illinois 62794-9429  
Telephone number: (217) 785-3896  
T.D.D.: (217) 782-5734

The full text of the Adopted Amendments begins on the next page:



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## SUBPART A: INITIAL, RECONSIDERATION, AND REOPENING CASE DEVELOPMENT

## Section 843.10 Definitions

"Activities of daily living for children" means those activities of children that involve continuity of purpose and action, and goal or task orientation; that is, the practical implementation of skills mastered at earlier ages as specified in the Code of Federal Regulations 20 CFR 416.924a(C) as amended February 11, 1991.

"Age-appropriate activities" means the normal activities of a child of any age; that is, what a child is expected to be able to do given his or her age as specified in the Code of Federal Regulations 20 CFR 416.924a(C) as amended February 11, 1991.

"Bureau" means the Bureau of Disability Determination Services.

"Claimant representative" means an attorney or other individual appointed by the claimant to act for him/her in the prosecution of a disability claim, who is qualified pursuant to the definition of "representative" in 89 Ill. Adm. Code 853.10.

"Clear-cut cessation" means a decision to discontinue disability benefits/payments without current medical development (i.e., the acquisition of medical evidence subsequent to the receipt of the case file by the Bureau for the purpose of conducting continuing disability review) when the claimant has returned to full-time work as defined in and meets the criteria as set forth in the Program Operations Manual System DI 28030.035 et seq. as ~~revised-August-1987~~ amended June 1991.

"Complete medical history" means the records of the claimant's medical sources covering a time period as specified in the Code of Federal Regulations 20 CFR 404.1512(d)(2) and 416.912(d)(2) as amended August 1, 1991.

"Continuing Disability review" means the periodic reexamination of a case, which is conducted pursuant to 89 Ill. Adm. Code 850 for which an allowance has been processed in order to determine if the claimant continues to be disabled.

"Daily activities development" means the process of obtaining a description of the claimant's customary actions, interests, and interpersonal relationships from medical and/or lay sources who have knowledge of the claimant's living conditions.

"Developmental domain" means a broad area of development including major spheres of physical, cognitive, communication, social, and

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emotional activity for children from birth to age six as specified in the Code of Federal Regulations 20 CFR 416.924a(C) as amended February 11, 1991.

"Developmental milestones" means a child's expected principal developmental achievements at particular points in time as specified in the Code of Federal Regulations 20 CFR 416.924a(C) as amended February 11, 1991.

"Domain" means a broad sphere of physical and mental functioning measured by how well the child can do age-appropriate activities as specified in the Code of Federal Regulations 20 CFR 416.924a(C) as amended February 11, 1991.

"Every reasonable effort" means that the Bureau will make an initial request for evidence from the claimant's medical source, and at any time between 10 and 20 calendar days after the initial request, if the evidence has not been received, the Bureau will make one follow-up request to obtain the medical evidence necessary to make a determination according to the specifications in the Code of Federal Regulations 20 CFR 404.1512(d)(1) and 416.912(d)(1) as amended August 1, 1991.

"Evidence" means any information submitted relative to a claim for disability as described in the Code of Federal Regulations 20 CFR 404.1512 and 416.912 as amended August 1, 1991.

"Functional domain" means a broad area of development including major spheres of physical, cognitive, communication, social, and emotional activity for children from age six to age sixteen as specified in the Code of Federal Regulations 20 CFR 416.924a(C) as amended February 11, 1991.

"Functional equivalence" means the decision, based on an assessment of a child's functioning, that an impairment(s) exists which is of comparable severity to an impairment which would disable an adult as specified in the Code of Federal Regulations 20 CFR 416.926a as amended February 11, 1991.

"Individualized functional assessment" means the evaluation of functional limitations and abilities in a child to determine whether an impairment(s) exists which would disable an adult as specified in the Code of Federal Regulations 20 CFR 416.924a(C) as amended February 11, 1991.

"Medical evidence of record" means medical information on file for a patient, such as reports of exams, progress notes, and test results, which are obtained from a treating source or source of record as



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defined in Program Operations Manual System DI 22505.025 003 as amended ~~December-1986~~ August 1991.

"Medical Information Unit" (MIU) means the unit established by the Bureau to perform various functions involving the consultative examination process and to coordinate all correspondence, communication, and record-keeping between the Bureau and Cook County Hospital and Fantus Clinic of Chicago, Illinois.

"Presumptive disability/blindness decision" means a favorable decision rendered for a Supplemental Security Income (SSI) claim based on the evaluation criteria as set forth in the Program Operations Manual System DI 23535.005, as amended October 1988; such decision permits the claimant to receive payments prior to the formal decision.

"Program Operations Manual System" means the policies and procedures of the Social Security Administration which set forth the objectives and requirements of the disability programs and furnish the standards with which Social Security Administration operating components must comply in the administration of the functions they perform. The Social Security Act is the basis for all standards set forth in the Program Operations Manual System.

"Residual functional capacity" means the ability to function in a work setting despite the limitations imposed by a physical or mental impairment as determined pursuant to Program Operations Manual System DI 24510.001 as amended July 1989 and DI 25001.001 as amended March 1989.

"Sequential evaluation" means the order in which factors regarding impairment severity and work status are considered in the adjudication process, pursuant to 89 Ill. Adm. Code 845.

"Source of record" means a hospital, clinic or other source that has provided the claimant with medical treatment or evaluation but does not have or did not have an ongoing treatment relationship with the claimant as described in the Code of Federal Regulations 20 CFR 404.1502 and 416.902 amended August 1, 1991.

"Trailer mail" means medical evidence and other case-related correspondence received in the Bureau after the claim has been adjudicated and released.

"Treating source" means a medical source currently providing treatment to a claimant for alleged or documented impairments as described in the Code of Federal Regulations 20 CFR 404.1502 and 416.913 as amended August 1, 1991.

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"Vocational evidence" means documentation of the claimant's residual functional capacity, age, education, and work experience used when a disability decision based on medical evidence alone cannot be made.

"Work evaluation" means a program conducted at a work evaluation facility, which has an annual service agreement pursuant to 89 Ill. Adm. Code 530, to assess by testing of function and job sampling the claimant's ability to adjust to work pursuant to Program Operations Manual System DI 22515.010 as amended November 1988.

(Source: Amended at 16 Ill. Reg. 10316 effective June 15, 1992.

## Section 843.20 Preliminary Case Action

a) A claimant will provide consent to the Bureau to contact sources who may have evidence to document the claim by signing the Disability Insurance Benefit and/or Supplemental Security Income (SSI) application(s) and a medical release form when filing for benefits/ payments. The Bureau will obtain and disclose such evidence following the guidelines governing disclosure set forth in the Program Operations Manual System DI 30510.000 as amended February 1988 and DI 30515.000 et seq. as amended January 1986. The claimant may revoke the consent at any time, but the consent will be valid until final disposition of the disability claim or one year.

b) To insure the impartiality of the adjudicative team, the Bureau will assign a claim for which an earlier unfavorable determination was rendered, to an adjudicator and medical consultant who did not participate in that decision.

c) All incoming SSI cases will be reviewed to determine if a presumptive disability/blindness decision can be made following the criteria in the Program Operations Manual System DI 23535.000 et seq. as amended October 1988.

(Source: Amended at 16 Ill. Reg. 10316, effective June 15, 1992.

## Section 843.30 Medical Evidence of Record Development

a) The Bureau incorporates the standards for obtaining medical evidence of record as set forth in the Code of Federal Regulations 20 CFR 404.1512, 404.1513, 416.912 and 416.913 as amended August 1, 1991 and in the Program Operations Manual System DI 22505.000 et seq. as revised ~~June-1987-except-for-the-provisions-regarding-obtaining-medical-evidence-from-Cook-County-Hospital-and-Fantus-Clinic-of-Chicago-Illinois~~ August 1991.

b) The Bureau's Medical Information Unit (MIU) will be responsible for



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processing all requests for medical evidence of record from Cook County Hospital and Fantus Clinic of Chicago, Illinois.

- c) The Bureau has developed the following policy regarding payment for medical evidence:

- 1) Only one payment will be proffered per source. Payment rates are established pursuant to provisions set forth in 89 Ill. Adm. Code 545.
- 2) When a reconsideration claim is filed requiring that the same source be contacted for additional evidence, another payment will be proffered, because a new application at a higher level of appeal is being developed.
- 3) If a contact does not yield medical evidence of record, payment will not be proffered.

- d) The Bureau will handle opinion evidence submitted according to the guidelines set forth in the Code of Federal Regulations 20 CFR 404.1527 and 416.927 as amended August 1, 1991.

(Source: Amended at 16 Ill. Reg. 10316 effective June 15, 1992.

## Section 843.50 Vocational Evidence Development

- a) The Bureau will determine whether complete vocational development is needed for the claim by following the steps of sequential evaluation described in 89 Ill. Adm. Code 845 (Sequential Evaluation Process for the Determination of Disability).

- b) The Bureau incorporates the criteria for vocational evidence development as specified in the Program Operations Manual System DI 22515.000 et seq. as amended November 1988.

- c) If the Bureau cannot assess the residual functional capacity based on medical and vocational evidence as defined by the Program Operations Manual System DI 22505.000 as amended June 1987 August 1991, and DI 22515.000 as amended November 1988, the Bureau will provide the claimant with the following information:

- 1) The reason that the additional evidence is needed;
- 2) A description of the work evaluation process;
- 3) The dates during which the evaluation will occur;
- 4) Transportation available from the facility or the travel

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reimbursement policy as set forth in 89 Ill. Adm. Code 840.50(b)(10);

- 5) Directions to get to the facility and the contact person at the site;

- 6) Instructions regarding medication, prostheses, and the money necessary for meals that should be taken to the evaluation;

- 7) Description of the lodging arrangement.

- d) If a claimant fails to participate or cannot be contacted regarding a work evaluation, the Bureau will follow the guidelines for securing claimant cooperation as stated in the Program Operations Manual System DI 22501.03 et seq. as amended January 1986 August 1988.

- e) If a claimant fails to go to the work evaluation for a valid reason as set forth in Program Operations Manual System DI 22516-055(b); as amended January 1986 22510.017 as revised August 1991, but is willing to participate, the Bureau will recontact the facility to arrange for the claimant to complete the evaluation.

- f) Reimbursement for travel, meals and lodging will be made in accordance with 80 Ill. Adm. Code 2800.

(Source: Amended at 16 Ill. Reg. 10316, effective June 15, 1992.

## Section 843.60 Daily Activities Development for Mental Impairment Claims

- a) The Bureau incorporates the guidelines for daily activities in mental impairment claims set forth in the Program Operations Manual System DI 22511.001 - 22511.013 as amended July 1989 August 1988. Mental impairments are defined in 20 CFR 404. Subpart P, Appendix A, 12.00 (1989 1990).

- b) The Bureau will prepare a mental residual capacities assessment for cases involving a mental impairment in accordance with the Program Operations Manual System DI 24510.025 and DI 24510.060 - 24510.065, as amended July 1989.

- c) If a claimant alleging a mental impairment refuses or fails to comply with a Department request for further development without good and valid reason, as explained in the Program Operations Manual System DI 22501-030 as amended January 1986 22501.003 as amended August 1988, the Bureau will obtain assistance through contact with a third party or Social Security Administration field office assistance according to the guidelines in the Program Operations Manual System DI



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22501.003 et seq. as amended August 1988 and DI 22505.050 et seq. as amended January-1986 October 1987.

(Source: Amended at 16 Ill. Reg. 10316, effective June 15, 1992.

Section 843.61 Case Development for Supplemental Security Income (SSI) Claimants Under Age Eighteen

- a) The Bureau incorporates the guidelines for conducting individualized functional assessments for SSI claimants under age eighteen as specified in the Code of Federal Regulations 20 CFR 416.924 - 416.924f as amended February 11, 1991.

- b) The Bureau will determine functional equivalence for such claims in accordance with the Code of Federal Regulations 20 CFR 416.926a as amended February 11, 1991.

(Source: Added at 16 Ill. Reg. 10316 effective June 15, 1992.

SUBPART B: CONTINUING DISABILITY REVIEW (CDR) CASE DEVELOPMENT

Section 843.70 Contact With Claimants

- a) If information obtained by the SSA field office during the CDR interview does not meet the requirements contained in the Program Operations Manual System DI 28030.020, as amended June 1987 1991, and DI 28030.030, as amended August-1987 June 1991, the Bureau will directly contact the claimant or his/her representative for the necessary information following the guidelines set forth in the Program Operations Manual System DI 28030.015(A) as amended June 1987.

- b) If SSA field office assistance is needed to obtain the desired information, according to the provisions in the Program Operations Manual System DI 28030.015(B) as amended June 1987, the Bureau will request such assistance in accordance with the guidelines set forth in the Program Operations Manual System DI 22505.050 et seq. as amended June October 1987.

(Source: Amended at 16 Ill. Reg. 10316, effective June 15, 1992.

Section 843.80 Medical Evidence of Record Development

The Bureau will develop medical evidence of record for the CDR claim according to the guidelines cited in Section-843-30 the Code of Federal Regulations 20 CFR 404.1593 and 416.993 as amended August 1, 1991.

(Source: Amended at 16 Ill. Reg. 10316, effective June 15, 1992.

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Section 843.120 Cessation Without Full Medical Development (Clear-Out Cessation)

The Bureau will determine the need for a cessation of benefits without full medical development for the CDR claim according to the criteria set forth in the Program Operations Manual System DI 28030.035 et seq. as amended January 1986 June 1991.

(Source: Amended at 16 Ill. Reg. 10316, effective June 15, 1992.

Section 843.121 Evaluation of Continuing Disability for SSI Childhood Claims

The Bureau will determine whether or not a child previously found to be disabled and eligible for SSI payments continues to be disabled according to the criteria set forth in the Code of Federal Regulations 20 CFR 416.994 - 416.994i as amended February 11, 1991.

(Source: Added at 16 Ill. Reg. 10316, effective June 15, 1992.

SUBPART C: SPECIAL ISSUES AFFECTING CASE DEVELOPMENT

Section 843.130 Capability Development

The Bureau incorporates the standards for capability development as set forth in the Program Operations Manual System DI 23001.000 et seq. as amended January-1986 March 1989.

(Source: Amended at 16 Ill. Reg. 10316, effective June 15, 1992.

Section 843.150 Issues Which Necessitate Curtailing Development

- a) When the claimant leaves Illinois before a decision on the case has been made, the Bureau will follow the steps specified in the Program Operations Manual System DI 20101.035 et seq. as amended January-1986 October 1987.
- b) The Bureau will curtail development and return the case to the SSA field office as directed by the Program Operations Manual System DI 20101.000 et seq. as amended January-1986 October 1987.
- c) The Bureau will take action when the claimant fails to cooperate with the Bureau or SSA field office in accordance with the criteria stated in the Program Operations Manual System DI 23010.000 et seq., as amended January-1986 July-1989; PI-22505-020-et-seq.-as-amended December-1986; PI-22505-021-as-amended-December-1986; PI-22510-025(B) and-(C)-as-amended-April-1987; PI-22510-050-as-amended-January-1986;



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RI-22510-055-as-amended-January-1986;-BI-22505-050-as-amended-October 1987;-and-RI-22505-065(B)-as-amended-June-1987 July 1989, DI 22505.012, DI 22510.10(A), DI 22510.018, DI 22510.017 and DI 22505.030 as amended August 1991.

d) When the claimant withdraws or does not wish to pursue the claim, the Bureau will follow the steps described in the Program Operations Manual System DI 23015.000 et seq. as amended January 1986.

e) When the claimant's whereabouts become unknown during the processing of the claim, the Bureau will take action as described in the Program Operations Manual System DI 23005.000 et seq. as amended January-1986 February 1989.

f) When the claimant dies before completion of the case processing, the Bureau will follow the criteria set forth in the Program Operations Manual System DI 23510.000 et seq. as amended January 1986.

(Source: Amended at 16 Ill. Reg. 10316 effective June 15, 1992.

Section 843.160 Issues Which Necessitate Reopening a Prior Decision

a) Case development for initial and reconsideration claims will be curtailed and a prior decision reopened, when the Bureau finds a basis for such action according to the criteria set forth in the Program Operations Manual System DI 27501.000 and DI 27505.000 et seq. as amended April-1986 July 1989.

b) Prior CDR decisions will be reopened following the criteria stated in the Program Operations Manual System DI 28501.000 et seq. as amended January 1986.

(Source: Amended at 16 Ill. Reg. 10316, effective June 15, 1992.

Section 843.180 Processing Out-of-State Court Cases

With regard to the following class action lawsuits, the Bureau incorporates the specified court-ordered criteria for development of medical and/or vocational evidence:

a) In the case of Boyd, et al. v. Sullivan, POMS DI 32532.000 et seq. revised March 1990.

b) In the case of Hyatt, et al. v. Sullivan, POMS DI 32548.000 et seq. revised April-1986 January 1991.

c) In the case of Morrison, Doe and Decker, POMS DI 32551.000 et seq. revised September-1986 August 1990.

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d) In the case of Polaski, et al. v. Bowen, POMS DI 32553.000 et seq. revised December August 1989.

e) In the case of Samuels, et al. v. Bowen, POMS DI 32555.000 et seq. revised March 1990.

f) In the case of Sullivan v. Zebley, POMS DI E32597.000 et seq. revised June-1990 July 1991.

(Source: Amended at 16 Ill. Reg. 10316, effective June 15, 1992.



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1) Heading of the Part: The Illinois Library Systems Act

2) Code Citation: 23 Ill. Adm. Code 3030

3) Section Number: Adopted Action:

3030.50 Amendments

4) Statutory Authority: Implementing and authorized by the Illinois Library Systems Act (Ill. Rev. Stat. 1991, ch. 81, pars. 111 et seq.)

5) Effective Date of Amendments: June 12, 1992

6) Does this rulemaking contain an automatic repeal date?  
     Yes   x   No       

7) Do these amendments contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: June 12, 1992

9) Notice of Proposal Published in Illinois Register:

November 8, 1991: 15 Ill. Reg. 15968

10) Has JCAR issued a Statement of Objections to these amendments? No

11) Differences between proposal and final version:

The following changes have been made in response to comments received during the first notice period, including those received from the Administrative Code Division and JCAR:

Subsection 3030.50 (a) 4):

"this date" has been changed to "June 30, 1996".

Subsection 3030.50 (b) (1):

In the last sentence "Bibliographic Access (f) 5) A))" has been changed to "bibliographic access in subsection (t) (2) (A)"; and "Reciprocal Access (k) 20) A))" was changed to "reciprocal access in subsection (k) (2) (A) of this Section."

Subsection 3030.50 (d) (1) (B):

"periodically" has been changed to "annually".

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Subsection 3030.50 (d) (1) (C):

"a comprehensive" has been changed to "an".

Subsection 3030.50 (d) (1) (E):

The period immediately following "year" has been deleted; and "consistent with the Open Meetings Act (Ill. Rev. Stat. 1991 ch. 102, par. 41 et seq.)." has been added and inserted immediately after "year".

Subsection 3030.50 (d) (1) (F):

"all" has been deleted; "in a timely manner" has been deleted; a second sentence as follows has been added:

"Written records shall be maintained of board meetings."

Subsection 3030.50 (d) (1) (G):

"the Illinois Secretary of State Rules for Library Systems" has been changed to "this Part".

Subsection 3030.50 (d) (1) (H):

"regularly" has been changed to "annually".

Subsection 3030.50 (d) (1) (I):

"regularly has been changed to "annually".

Subsection 3030.50 (d) (1) (J):

"system board of directors" has been changed to "board"; and "as defined in the Freedom of Information Act (Ill. Rev. Stat., 1991, ch. 201 et seq.)" has been deleted.

Subsection 3030.50 (d) (2) (A):

"holds" has been changed to "shall have"; "system Board" has been changed to "system board"; "A.L.A.-accredited" has been changed to "American Library Association-accredited"; "at least" has been changed to "a minimum of"; and "responsible" has been changed to "a minimum of two that were in".

Subsection 3030.50 (d) (2) (B):

"qualified staff in sufficient numbers on all levels for all purposes" has been changed to "enough technical and professional personnel



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"required to operate the system"; and "necessary" has been changed to "required".

Subsection 3030.50 (d) (2) (C):

"competitive" has been deleted.

Subsection 3030.50 (d) (2) (D):

"adequate" has been deleted; and "to support its services and staff" has been changed to "appropriate for the program and supporting services".

Subsection 3030.50 (d) (3) (A):

"timely" has been deleted.

Subsection 3030.50 (d) (3) (B):

"timely" has been deleted.

Subsection 3030.50 (d) (4) (A):

"planning and evaluation activities, such as" has been added and inserted immediately after "comment on".

Subsection 3030.50 (d) (4) (D):

"will" has been changed to "should".

Subsection 3030.50 (d) (5) (A):

"regular" has been deleted; and "all" has been deleted.

Subsection 3030.50 (d) (5) (B)

A second sentence has been added as follows immediately after "resources".:

"An example of a cooperative activity for consideration is contracting for services when contracting offers a more cost-effective means of providing a service to members and such service is of higher quality than can be offered by the individual system agency."

Subsection 3030.50 (d) (6) (A):

A second sentence has been added as follows:

"Newsletters, conducting or sponsoring of programs or workshops are examples."

Subsection 3030.50 (d) (6) (D):

"used to" has been changed to "most concerned with"; and "to" has been added immediately after "benefit".

Subsection 3030.50 (d) (7)

"Responsibilities" has been changed to "Responsibilities".

Subsection 3030.50 (d) (7) (A):

"fully" has been deleted; and "qualified, committed" has been deleted.

Subsection 3030.50 (e) (1) (A):

"the Plan for Funding Automated Resource Sharing in Illinois Libraries (Illinois State Library Automation Committee, 1988)" has been changed to "the statewide automation plan"; and "as a minimum," has been inserted immediately after "operational plan".

Subsection 3030.50 (e) (2) (B) (i):

"ALA-accredited" has been changed to American Library Association-accredited"; "MLS" has been changed to "Master of Library Science"; and "y)" has been deleted.

Subsection 3030.50 (e) (2) (B) (ii):

"recent and pertinent" has been deleted.

Subsection 3030.50 (e) (2) (C):

a comma has been added immediately after "year".

Subsection 3030.50 (f) (1) (A):

a comma has been added immediately after "agency" and after "minimum".

Subsection 3030.50 (f) (1) (B) (ii):

"unique" has been deleted"

Subsection 3030.50 (f) (1) (E):

"member's" has been changed to "members".

Subsection 3030.50 (f) (2) (C):



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"(Machine readable cataloging)" has been inserted immediately after "MARC".

Subsection 3030.50 (f) (3) (A):

"including Anglo-American Cataloging Rules, 2nd edition; Library of Congress or Sears subject headings in most cases; and MARC (Machine readable cataloging)" has been changed to "such as machine readable cataloging (MARC)"; and comma has been added and inserted immediately before and immediately after "if automated".

Subsection 3030.50 (f) (3) (B):

"the Illinois State Library's Plan for Funding Automated Resource Sharing in Illinois Libraries" has been changed to "a statewide automation plan".

Subsection 3030.50 (f) (3) (B) (i):

"(currently AACR2, level 2) and compatibility with the MARC format" has been deleted.

Subsection 3030.50 (f) (3) (B) (ii):

"data" has been added and inserted immediately after "following" and before "fields"; "ISBN/ISSN" has been changed to "International Standard Book Number/International Serial Number (ISBN/ISSN)"; "-LCCN (preferable)" has been changed to "(LCCN)"; and OCLC has been changed to "Online Computer Library Center (OCLC)".

Subsection 3030.50 (g) (1) (A):

", as a minimum," has been added and inserted between "operational plan" and "shall".

Subsection 3030.50 (g) (1) (D):

"Standard (g) 7 B))" has been changed to "subsection (g) (1) (B) above."

Subsection 3030.50 (g) (2) (A):

"(g) 7) B))" has been changed to "subsection (g) (1) (B) of this Section."

Subsection 3030.50 (g) (2) (A) (i):

"ALA-accredited" has been changed to "American Library Association-accredited".

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Subsection 3030.50 (g) (2) (B):

a comma has been inserted between "director" and "for".

Subsection 3030.50 (g) (2) (D):

"at system expense" has been inserted immediately after "annually" and before "in attendance"; "at system expense" after "profession" has been deleted.

Subsection 3030.50 (g) (3) (B):

"fully" has been deleted.

Subsection 3030.50 (h) (1) (A):

", as a minimum," has been added and inserted between "operational plan" and "shall".

Subsections 3030.50 (h) (1) (E) (i) thru (iii):

have been added and inserted after the colon:

- "i) An orientation program for staff, trustees, and governing officials of member libraries;
- ii) A workshop for governing officials in addition to the orientation program as outlined in (d) (1) (D) of this Section;
- iii) A program of new developments in areas such as technology, legislation, and to new approaches to problem solving."

Subsection 3030.50 (h) (3) (A):

"appropriate" has been deleted immediately before "support staff" and immediately before "system-sponsored".

Subsection 3030.50 (h) (3) (C):

"(h) 10) E))" has been changed to "subsection (h) (1) (E) of this Section."

Subsection 3030.50 (i) (1) (A):

"all aspects of" has been deleted; and "operation plan" has been changed to "operational plan, as a minimum,".

Subsection 3030.50 (i) (1) (A) (iv):



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"who gets" has been deleted; and "how frequently (e.g., " has been changed to "locations and frequency for deliveries. For example: "; " was deleted after "items".

Subsection 3030.50 (i) (1) (B):

"develop and adopt" has been changed to "establish"; "that may arise in" has been changed to "related to"; "for example," has been added and inserted between "procedures" and "should".

Subsection 3030.50 (i) (1) (B) (ii):

"easily" has been deleted.

Subsection 3030.50 (i) (1) (B) (iv):

"clear" has been deleted.

Subsection 3030.50 (i) (1) (G):

"clear" has been deleted.

Subsection 3030.50 (i) (2) (A):

"adequate" has been deleted.

Subsection 3030.50 (j) (1) (A):

", as a minimum," has been added and inserted between "operational plan" and "shall".

Subsection 3030.50 (j) (1) (A) (i):

"ILLINET" has been changed to "Illinois Library and Information Network (ILLINET)".

Subsection 3030.50 (j) (1) (C):

"all" has been deleted.

Subsection 3030.50 (j) (1) (E):

"all" has been deleted.

Subsection 3030.50 (j) (3) (D):

all" has been deleted.

Subsection 3030.50 (k) (1) (A):

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", as a minimum," has been added and inserted between "operational plan" and "shall".

Subsection 3030.50 (k) (1) (A) (i):

"all" has been deleted.

Subsection 3030.50 (k) (1) (A) (iii):

"reasonable" has been deleted.

Subsection 3030.50 (k) (1) (A) (iv):

"all" has been deleted.

Subsection 3030.50 (k) (1) (A) (v):

"the" has been added and inserted immediately before "definition"; "At a minimum" has been changed to "As a minimum".

Subsection 3030.50 (k) (1) (A) (vi):

"specify" has been changed to "the charge for a".

Subsection 3030.50 (k) (1) (B):

"all" has been deleted.

Subsection 3030.50 (1) (1) (A):

", as a minimum," has been added and inserted between "operational plan" and "shall".

Subsection 3030.50 (1) (2) (B):

"a sufficient number of persons" has been changed to "enough staff"; and "to meet these standards" has been deleted.

Subsection 3030.50 (1) (2) (C) (i)

"ALA-accredited" has been changed to American Library Association-accredited".

Subsection 3030.50 (1) (2) (C) (iii):

"demonstrate" has been changed to "demonstrated".

Subsection 3030.50 (1) (2) (D):



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"appropriate" has been deleted.

Subsection 3030.50 (1) (2) E):

"appropriate" has been deleted.

Subsection 3030.50 (m) (1):

"(Ill. Rev. Stat. 1991, ch. 81, pars. 111 et seq.)" has been added and inserted immediately after "Illinois Library Systems Act".

Subsection 3030.50 (m) (8):

"adequate" has been changed to "enough".

12) Have all changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these amendments replace an emergency amendment currently in effect? No

14) Are there any proposed amendments pending on this Part? No

15) Summary and purpose of amendments:

The standards now stated in the law are so general that they are no help to the State Library in evaluating the systems in an objective and uniform manner. The eighteen systems differ greatly in area, population and financial resources. System services to member libraries vary as greatly as system resources.

16) Information and questions regarding these adopted amendments shall be directed to:

Name: Kathleen L. Bloomberg  
Associate Director, Library Development Group  
Address: Illinois State Library  
300 South Second Street  
Springfield, Illinois 62701  
Telephone: (217) 782-7848

The full text of the Adopted Amendments begins on the next page:

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TITLE 23: EDUCATION AND CULTURAL RESOURCES  
SUBTITLE B: CULTURAL RESOURCES  
CHAPTER I: SECRETARY OF STATE

## PART 3030

## THE ILLINOIS LIBRARY SYSTEMS ACT

Section	Definitions
3030.10	Forms
3030.15	Administration of the Act: Hearings
3030.20	Establishment of Systems
3030.25	Geographic Boundaries
3030.30	Membership in a Library System
3030.35	Contracting Libraries
3030.40	Accessing Resources and Services
3030.45	Service Standards
3030.50	Service to State Institutions
3030.55	Services to the Physically Disabled (Repealed)
3030.60	Plan of Service for a Cooperative or Multitype Library System
3030.65	Plan of Service for a Public Library System
3030.70	Conversion of a Cooperative Public Library System or a Public Library System to a Multitype Library System
3030.75	Liquidation
3030.80	Merger
3030.85	Finances and Records
3030.90	Governing Board
3030.95	Rules
3030.100	State Grants
3030.105	Revocation of Approval
3030.110	Suspension of a Library from Membership
3030.115	Transfer of Membership
3030.120	Withdrawal of Membership
3030.125	Annual System Reports
3030.130	

AUTHORITY: Implementing and authorized by The Illinois Library Systems Act (Ill. Rev. Stat. 1991, ch. 81, pars. 111 et seq.).

SOURCE: Rules and Regulations for Library Systems and State Aid November 8, 1965; rules repealed, new rules adopted and codified at 8 Ill. Reg. 16914, effective September 4, 1984; amended at 13 Ill. Reg. 1244, effective January 15, 1989; amended at 14 Ill. Reg. 20066, effective December 1, 1990; amended at 16 Ill. Reg. 10329, effective June 12, 1992.

## Section 3030.50 Service Standards

Each System shall implement the following service standards:

a) identify--with--distinctive--marking--library materials--purchased-with system-headquarter's-funds-as-property-of-the-system.



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- b) Maintain an interlibrary loan and reference service--program--which falls a majority of requests of the system service area from within the system.

a) Implementation of Standards for System Agencies

- 1) FY92-93 -- System agencies are expected to meet standards designated by the State Librarian in 1991 by June 30, 1993. System agencies must continue to meet these standards in subsequent years. If they cannot meet these designated standards they must have submitted a plan, accepted by the State Librarian, which explains how the standards will be met.
- 2) FY93 -- System agencies must submit to the State Librarian a report outlining implementation plans for the remaining standards by June 30, 1993.
- 3) FY95 -- System agencies must annually report progress toward meeting the agreed upon standards to the State Librarian.
- 4) FY96 -- System agencies are expected to have met all the standards by June 30, 1996, or the system agency must have submitted a plan, accepted by the State Librarian, that explains how the remaining standards will be met.

b) Addressing Standards

- 1) Existing system agency staff as of July 1, 1991 are grandfathered in for purposes of experience and educational background requirements. The staffing levels outlined in the standards do not demand that every staffing requirement be addressed by employing a full-time person. As an example, the same staff member may be responsible for bibliographic access in subsection (f)(2)(A) and reciprocal access in subsection (k)(2)(A) of this Section.

- 2) The Illinois State Library will work closely with the library systems in addressing the staffing needs and recognize that plans may need to be developed in FY96 to outline how any remaining staffing standards will be addressed.

c) Implementation for Member Libraries

- 1) System member libraries should provide, as determined by the library systems of which they are a member, the library services that either meet or make progress toward meeting the membership responsibilities defined in these standards.

- 2) Each library system shall submit to the State Librarian by July 1, 1992 a plan for implementation of these responsibilities by member libraries. This plan will designate priorities among listed responsibilities. The plan shall provide that individual libraries that cannot meet the system priorities within the timeframe set by the system can adopt a plan, accepted by the library system, to meet the responsibilities within a longer timeframe.

d) General Administrative Standards1) Library System Board of Directors

- A) The system board of directors shall represent the system members as a whole and not individual libraries or type of

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## Library.

- B) The system board shall annually review the proportion of the library interests represented on the library board.

- C) The system board and staff shall conduct an orientation program for new system board members.

- D) The system board members shall participate in continuing education events such as system and regional workshops and state and national conferences.

- E) The system board shall meet a minimum of nine times per year consistent with the Open Meetings Act (Ill. Rev. Stat. 1991, ch. 102, par. 41 et seq.).

- F) Board meetings and committee meetings shall be publicized to members so that members and systems staff shall have opportunity to attend. Written records shall be maintained of board meetings.

- G) The board shall adopt rules and policies in accordance with this Part and shall codify and disseminate them.

- H) The board shall annually review the by-laws, rules and policies and revise them as needed.

- I) The board shall annually review the membership eligibility criteria to ensure that they are equitable, nondiscriminatory and within the control of the library.

- J) The board shall be an advocate for libraries, uphold intellectual freedom and promote legislation of benefit to libraries.

2) Staff and Resources

- A) The system board shall employ an executive director, reporting to and accountable to the system board, who shall have a master's degree from an American Library Association-accredited library education program and who has a minimum of five years postgraduate employment that includes a minimum of two that were in library administrative experience.

- B) The executive director shall hire enough technical and professional personnel as are required to operate the system and provide required training when appropriate.

- C) The system agency shall have a compensation plan for the staff.

- D) The system agency shall provide facilities and equipment appropriate for the program and supporting services.

- E) The staff of the system agency shall be evaluated annually in writing.

3) Communications

- A) The executive director shall provide the system board of directors with information needed for policy decisions.

- B) The system agency staff shall ensure publication of information that affects all types of libraries.

4) Planning and Evaluation

- A) The system agency shall ensure that all system members have



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opportunities for input into or comment on planning and evaluation activities, such as system plans of service, plans of cooperation, long-range plans, and program designs, including budgetary information, before such plans are finally adopted.

B) The system agency shall utilize these standards to evaluate core system services and administrative services.

C) The system agency shall keep statistics measuring its services.

D) The system agency should annually review the progress being made toward providing library service to all the residents of its geographic area.

## 5) Interagency Relations

A) The system agency shall maintain communications with other system agencies and the Illinois State Library, sharing information on matters relating to system operations.

B) The system agency shall cooperate with other library and non-library agencies on matters of mutual interest and benefit, especially in areas where contracts or programs of service are effective means of using limited financial resources. An example of a cooperative activity for consideration is contracting for services when contracting offers a more cost-effective means of providing a service to members and such service is of higher quality than can be offered by the individual system agency.

## 6) Management

A) The system agency shall foster awareness of current library developments and management trends. Newsletters, conducting or sponsoring of programs or workshops are examples.

B) The system agency shall regularly explore the most cost-effective approaches to services and administration. It shall adopt management procedures which ensure that it gets the best results for reasonable costs.

C) The system agency shall ensure that non-member libraries are aware of the advantages of system membership and encourage them to become members.

D) System financial resources shall be most concerned with benefit to members and shall not be used to reimburse libraries for services provided as a membership obligation to their primary clientele.

## 7) Member Library Responsibilities

A) Member libraries should participate in the system representation plan and provide the name of a representative for selection of the system board when expected to do so according to the plan.

B) Member libraries should fulfill their responsibilities under the system plan of service or make measurable acceptable progress toward fulfilling them.

C) Member libraries should assess possibilities for library

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service to the unserved.

D) Member libraries should participate in the system decision-making process through attending meetings, responding to surveys and serving on committees.

E) Member libraries should continue local support for their own library services and not reduce such support as a result of membership in the system.

## e) Automation/Technology

## 1) Automation Technology - Administration and Service

A) The system agency shall have an operational automation plan that complements a statewide automation plan. The operational plan, as a minimum, shall:

- i) identify areas of responsibility of the system agency and member libraries;
- ii) identify consultant services by type of assistance and individual consultants;
- iii) address the goal of universal interface;
- iv) outline criteria for testing and implementing new technologies;
- v) include an automation technology disaster and security plan.

B) The system agency shall facilitate opportunities for members to participate in a shared automation system.

C) The system agency shall provide for demonstrations of appropriate technological advances for member libraries in convenient locations at least once per year.

## 2) Automation Technology - Staff and Resources

A) The system agency shall provide for one or more consultants to advise member libraries on evaluating the use of automation/technology in improving library services and in addressing the system automation plan.

B) System automation consultants who specialize in automation/technology consulting shall meet the following minimum qualifications:

- i) a masters degree in a pertinent subject area: for example, American Library Association-accredited Master of Library Science or Master of Science in computer science or information technology.
- ii) at least three years of professional experience in an automation/technology field.

C) System consultants shall have at least 30 contact hours of continuing education each year, excluding attendance at general library conferences.

## 3) Automation Technology - Membership Responsibilities

A) Member libraries should fulfill their responsibilities as identified in the system automation plan.

## f) Bibliographic Access

## 1) Bibliographic Access - Administration and Service

A) The system agency, as a minimum, shall have an operational



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plan for maximizing bibliographic access to member libraries.

The operation plan shall:

- i) state the system agency goals and objectives in its provisions for bibliographic access (including the priorities of the various subjects and of resources);
- ii) indicate the means of achieving these goals and objectives, the priorities and a schedule for their achievement;
- iii) assign responsibilities for the implementation, evaluation and annual review and revision of the plan;
- iv) identify how automated online access to unique holdings can be provided, including a timetable for achieving access.

B) The system agency shall have an operational cooperative collection management plan that complements the statewide plan.

The operational plan shall:

- i) describe the means of continuously identifying desired bibliographic resources not currently available in the collection of system members;
  - ii) identify existing resources to be preserved/retained;
  - iii) set up a system-wide collection management framework.
- C) The system agency shall have ready electronic access to the automated library resources of the agency and member libraries.

D) The system agency shall participate in the computerized linking of bibliographic databases.

E) The system agency shall coordinate the development of protocols for use of the members' bibliographic databases.

F) The system agency shall promote and encourage computerized public access to the system's bibliographic database(s).

2) Bibliographic Access - Staff and Resources

A) The system agency shall assign a professional staff member to be responsible for the system's bibliographic access activities under the plan.

B) The system agency shall provide a directory of the bibliographic databases accessible within the system.

C) The system agency will work with member libraries in promoting the cataloging of library materials in MARC (Machine readable cataloging) format when entered into bibliographic databases.

D) The system agency shall have online access to national and international bibliographic databases.

3) Bibliographic Access - Membership Responsibilities

A) Member libraries should have bibliographically organized collections of library materials, cataloged in accordance with national standards such as machine readable cataloging (MARC) format, if automated, in order to facilitate access

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by other members.

B) Member libraries' computerized bibliographic records should be input according to the standards specified in a statewide automation plan.

i) Bibliographic control for the Illinois library automation network must be based upon standardized cataloging rules.

ii) The following data fields should also be used when entering new holdings into local, library system and state databases: International Standard Book Number/International Serial Number (ISBN/ISSN), Library of Congress Card Number (LCCN) and Online Computer Library Center (OCLC) Number, if available. The entry of these specific elements in the database records will facilitate resource sharing throughout the state.

C) Member libraries should participate in the system bibliographic access and cooperative collection management plans.

g) Consulting

1) Consulting - Administration and Service

A) The system agency shall have an operational plan that describes consulting services offered to member libraries. The operational plan, as a minimum, shall:

- i) identify the consulting services provided;
- ii) identify the individual(s) of the system staff or as otherwise designated by the system as the provider of the consulting service in each of the core service and general consulting areas;
- iii) describe the means that the system has chosen to deliver the service, including shared consulting services with other systems;
- iv) state the level of consulting assistance that can be expected.

B) The system agency shall provide consulting service in each of the core service areas and the following general areas--Collection Management, Establishment, Expansion and Development of Library Service, Grants Development, Interlibrary Cooperation Activities, Legislation/Law, Library and Personnel Administration, Marketing of Library Service, and Planning and Budgeting, and in such areas as the respective system needs assessment may indicate.

C) System consultants shall acknowledge requests for consulting within two working days.

D) System consulting service shall satisfy at least 90 percent of consulting requests in the core and general consulting areas listed in subsection (g)(1)(B) above and in other areas as outlined in the system plan of consulting service.

E) System consulting service shall satisfy the percentage



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indicated in these standards of requests for consulting within five working days or negotiate a different time limit with the persons(s) making the request.

2) Consulting - Staff and Resources

A) System consultants or other persons designated by the system to consult in the general consulting areas, as specified in subsection (g)(1)(B) of this Section, shall possess the following minimum qualifications:

- i) a fifth-year degree from an American Library Association-accredited library program, or if the consultant is not a librarian, the degree or other formal educational qualification generally accepted by the practitioners of that profession or occupational specialty as the minimum acceptable for such practitioner;
- ii) at least three years' relevant experience in the consultant's designated area(s) of expertise;
- iii) demonstrated experience in effective written and oral communication as well as group process techniques.

B) Each system having 100 or fewer members shall employ, contract for, or otherwise provide a minimum of three full-time equivalent (FTE) consultants, excluding the executive director. Each system having more than 100 members shall employ or contract for at least three FTE consultants, excluding the executive director, for the first 100 members and at least one additional consultant for each additional 50 members or any fraction of that number.

C) Each full-time consultant shall spend at least 30 contact hours, and each part-time consultant shall spend at least the proportional amount of contact hours, in each calendar year attending workshops, seminars, classes, etc., to improve specific skills relevant to the consulting assignment.

D) Each consultant on the system's staff shall spend at least five days annually at system expense in attendance at regional, state, national or international professional meetings relevant to the consultant's profession.

3) Consulting - Membership Responsibilities

A) Personnel in member libraries should be willing to share expertise with other member libraries.

B) Member libraries should be cognizant of the scope of the consulting services available through the system agency.

C) Member libraries should provide input on consulting needs to be addressed so that they may be included in the system plan.

h) Continuing Education (CE)

1) Continuing Education - Administration and Service

A) The system agency shall have a continuing education operational plan of service.

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The operational plan, as a minimum, shall:

- i) describe the levels of continuing education for staff of all types of libraries;
- ii) include programs convenient in time and place for target audience;
- iii) provide opportunities for cosponsorship of events;
- iv) identify a mechanism for determining priorities for continuing education;
- v) provide for a method for annual review of programming needs;
- vi) provide a mechanism for keeping track of continuing education credit.

B) The system agency shall maintain a continuing education calendar.

C) The system agency shall annually assess continuing education needs of members and design continuing education events to meet those needs on a timely basis.

D) The system agency shall annually provide or cosponsor at least 50 contact hours of continuing education for staff and governing officials of member libraries.

E) The system agency shall annually provide or cosponsor at least one continuing education event of each of the following types:

- i) An orientation program for staff, trustees, and governing officials of member libraries;
- ii) A workshop for governing officials in addition to the orientation program as outlined in subsection (d)(1)(D) of this Section;
- iii) A program of new developments in areas such as technology, legislation, and new approaches to problem solving.

2) Continuing Education - Staff and Resources

A) The system agency shall designate a continuing education coordinator to guide the planning and implementation of continuing education programs.

B) The system agency shall provide access to adequate facilities/meeting rooms and equipment for presenting continuing education programs.

3) Continuing Education - Membership Responsibilities

A) Member libraries should provide paid release time for their professional staff to attend at least 10 contact hours, and for support staff to attend at least five contact hours, of system-sponsored or system-endorsed continuing education events annually.

B) The staff of member libraries should be willing to serve as resource people for continuing education events.

C) Member libraries should send appropriate persons to the orientation programs cited in subsection (h)(1)(E) of this Section.



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## 1) Delivery

- 1) Delivery - Administration and Service
    - A) The system agency shall have an operational delivery plan for delivery service to member libraries.  
The operational plan, as a minimum, shall:
      - i) identify delivery methods available and when to use each;
      - ii) describe delivery schedules and subschedules;
      - iii) identify fixed points for picking up and receiving materials;
      - iv) describe the mechanism for determining van delivery and locations and deliveries. For example: poundage, items;
      - v) provide for a mechanism for annual review;
      - vi) describe how the system delivery service interfaces with other systems through the Illinois Library Delivery Service (ILDS).
  - B) The system agency shall establish uniform procedures to govern problems related to delivery service.  
The uniform procedures, for example, should include:
    - i) packaging standards and indemnification of suppliers for loss or damage in delivery;
    - ii) uniform format for schedules so that they can be shared between systems;
    - iii) statewide uniform statistical data-gathering methods;
    - iv) guarantees on payment for materials lost in transit.
  - C) The system shall provide a vehicular delivery service to deliver materials to and from member libraries.
  - D) Each member library shall receive direct delivery a minimum of two times per week when it needs and requests such delivery.
  - E) Delivery points shall be determined on criteria including but not limited to volume of use, collection strengths and convenience of member libraries.
  - F) The system agency shall ensure that each member library has an option for delivery up to five days per week to a drop-off point.
  - G) The system agency shall have procedures for members that identify the means of delivery to be used in particular circumstances.
- 2) Delivery - Staff and Resources
- A) The system agency shall have staff to carry out the day-to-day operations of the delivery service.
  - B) The system agency shall ensure that its delivery service shall complete the delivery schedule a minimum of 98 percent of the time.
- 3) Delivery - Membership Responsibilities
- A) Member libraries should have designated staff to oversee delivery at their libraries.

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- B) Member libraries should provide for delivery in accordance with the system delivery schedule.
  - C) Member libraries should have access to facilities for receiving electronic transmission of library materials 24 hours per day.
  - D) Member libraries should package materials for delivery in accordance with the system delivery plan.
  - E) Member libraries should utilize the system and statewide delivery services unless a more cost-effective method is available to them.
- 1) Interlibrary Loan (ILL)
- 1) Interlibrary Loan - Administration and Service
    - A) The system agency shall have an operational plan for interlibrary loan, including interlibrary loan policy, a system ILL code, and ILL procedures, that encourage library to library interlibrary loan. The operational plan, as a minimum, shall:
      - i) describe procedures for monitoring compliance with the Illinois Library and Information Network (ILLINET) and system interlibrary codes;
      - ii) describe the complaint procedure;
      - iii) define responsibilities of the local library along with procedures for submitting ILL requests to the system headquarters;
      - iv) specify intrastate, interstate and international ILL;
      - v) describe the system agency responsibilities for ILL;
      - vi) publish the list of authorized charges for those interlibrary loan transactions, when allowable according to the Illinois Interlibrary Loan Code.
      - vii) provide for a method for regular monitoring and evaluation of interlibrary loan service, including the collection and publication of ILL statistics.
    - B) The system agency shall work with member libraries to improve local interlibrary loan service.
    - C) The system agency shall accept requests for ILL as specified in the ILL codes and system procedures.
    - D) The system agency staff shall initiate processing of ILL requests within one working day of receipt.
    - E) The system agency staff shall verify, locate, request, refer or cancel ILL requests received at system headquarters within three system working days.
    - F) The system agency shall ensure that sources are immediately available to verify at least 85 percent of the ILL requests received from member libraries.
    - G) The system agency shall distribute interlibrary loan public relations materials to member libraries.
  - 2) Interlibrary Loan - Staff and Resources
    - A) The system agency shall provide identified staff assigned to the ILL service for a minimum of 40 hours per week.



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- B) The system agency shall offer ILL training programs for staff of member libraries at least semiannually.
- C) The system agency shall hold an annual interlibrary loan performance assessment for ILL staff from the system and member libraries to identify and discuss areas needing improvement.
- D) The system agency shall have a telefacsimile machine (or a later state-of-the-art equivalent) with an automatic answering device available for ILL purposes 24 hours per day.
- E) The system agency staff shall have direct access to local, regional, national and international bibliographic databases.
- 3) Interlibrary Loan - Membership Responsibilities
- A) Member libraries should offer and promote interlibrary loan service to their primary clientele.
- B) Member libraries are responsible for training staff to handle ILL transactions and statistics-gathering and statistics gathered in accordance with system policies and procedures.
- C) Member libraries should send staff to system ILL training sessions and participate in the annual assessment of ILL services.
- D) Member libraries should attempt to verify requests from bibliographic resources, and should verify at least 75 percent of the requests.
- E) The member libraries should submit interlibrary loan requests directly to other libraries whenever possible.
- k) Reciprocal Access
- 1) Reciprocal Access - Administration and Service
- A) The system agency shall adopt a reciprocal access plan. The reciprocal access operational plan, as a minimum, shall include:
- how member libraries in the system shall provide reciprocal access;
  - who is eligible for reciprocal access;
  - limitations individual member libraries may establish for reciprocal access;
  - the scope of reciprocal borrowing within the system, including how public libraries shall participate in the program and other libraries can participate in the program;
  - the definition of a library card valid for purposes of reciprocal borrowing. As a minimum the card should include name, address, expiration date and name and address of issuing library;
  - the charge for a minimum nonresident fee in order for nonresidents to be eligible for reciprocal borrowing.
- B) The system agency shall be responsible for coordinating

## NOTICE OF ADOPTED AMENDMENT(S)

- aspects of the reciprocal borrowing program.
- C) The system agency shall adopt protocols to govern problems arising from reciprocal borrowing.
- D) The system agency shall conduct an assessment of reciprocal access within the system every two years to determine the extent of reciprocal access and its impact on system-wide library service.
- 2) Reciprocal Access - Staff and Resources
- A) The system agency shall designate a reciprocal access coordinator to monitor and guide the reciprocal access program.
- 3) Reciprocal Access - Member Library Responsibilities
- A) Member public libraries should provide reciprocal borrowing to persons holding a valid library card from a public library in Illinois.
- B) Libraries issuing a valid library card are responsible for materials lost by patrons when using reciprocal borrowing.
- C) Member public libraries should circulate materials to eligible reciprocal borrowers under the same conditions that they circulate those materials to their own patrons.
- D) All member libraries should provide for reciprocal access to other member libraries.
- 1) Reference Service
- 1) Reference - Administration and Service
- A) The system agency shall have an operational plan for reference services.
- The reference operational plan, as a minimum, shall:
- define responsibilities of the local library along with procedures for submitting reference requests to system headquarters;
  - describe complaint procedure;
  - describe system agency responsibilities and identify individuals responsible for providing reference service;
  - provide for a method of regular monitoring and evaluation of reference service at all levels within the system;
  - provide for the collection and publication of appropriate statistics.
- B) The system agency shall have written policies and procedures for filling the reference queries of its member libraries.
- C) The system agency shall assist member libraries in meeting their responsibilities under the reference plan through consultant services and a continuing education program.
- D) The system agency shall either fill, respond to, return or refer 90 percent of information or subject requests within two working days, and all requests within five working days.
- E) Library systems shall provide for reference service to their member libraries for the full range of hours that member



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library reference service is available.

- 2) Reference - Staff and Resources
  - A) The system agency shall designate a reference coordinator for the drafting and the implementation of the reference plan.
  - B) The system agency shall provide enough staff performing system reference work.
  - C) The person coordinating reference work shall meet the following minimum qualifications:
    - i) a fifth-year degree from an American Library Association-accredited library education program;
    - ii) two years of full-time professional experience working in libraries;
    - iii) at least one year of experience in reference work, with demonstrated competence in the provision of reference service. Other staff members providing high-level reference service should also meet these qualifications.
  - D) The system agency shall have access to or maintain reference resources that will enable the reference staff to answer at least 80 percent of the requests received.
  - E) The system agency shall provide members with lists of reference materials and sources of information, incorporating procedures for cooperative collection development when applicable.
- 3) Reference - Membership Responsibilities
  - A) Member libraries should meet minimum levels of reference service as defined in the system reference plan.
  - B) Member libraries should promote system-wide reference services by referring or offering to refer all unfilled requests to other libraries within the system.
  - C) Each member library should ensure that the staff members working on reference requests are skilled in basic reference sources and interviewing techniques. Such staff should have a clear understanding of the system reference plan.
- m) Development of Additional System Services
  - 1) The system agency shall develop service programs that are necessary to meet the objectives of the Illinois Library Systems Act (Ill. Rev. Stat. 1991, ch. 81, pars. 111 et seq.) and members' needs.
  - 2) Services provided by the system agency shall address the needs of member libraries.
  - 3) The services shall include both qualitative and quantitative measures and written descriptions of standards for them shall include the same sections as the core services--Definition, Administration and Service, Staff and Resources, and Membership Responsibilities.
  - 4) The system agency shall gather input from member libraries when developing service programs and the accompanying qualitative and

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- quantitative measures.
- 5) The system agency shall develop service programs that further the system's Plan of Service.
- 6) The system agency shall have a process to evaluate the system's services.
- 7) The system agency shall identify service programs provided by other system agencies that are the same or similar throughout the state and jointly develop these programs so as to avoid duplication and ensure a standard level of service.
- 8) The system agency shall initiate a service when financial resources are available to provide a quality service.

(Source: Amended at 16 Ill. Reg. 10329, effective June 12, 1992)



## COMMISSIONER OF BANKS AND TRUST COMPANIES

## COMMISSIONER OF BANKS AND TRUST COMPANIES

## NOTICE OF EMERGENCY AMENDMENT

## NOTICE OF EMERGENCY AMENDMENT

- 1) The Heading of the Part: Electronic Fund Transfers
- 2) Code Citation: 38 Ill. Adm. Code 310
- 3) Section Numbers: Emergency Action:  
310.710 Repeal
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 17, par. 1324
- 5) Effective Date of Amendment: June 11, 1992
- 6) It this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire:
- 7) Date Filed in Agency's Principal Office: June 10, 1992
- 8) Reason for Emergency: Section 8-100 of the Electronic Fund Transfer Transmission Facility Act, Ill. Rev. Stat. 1991, ch. 17, par. 1337, requires that a notice of the establishment of a point-of-sale terminal be filed with the Commissioner detailing the location and identification of the person establishing the terminal. Part 310.710 was adopted in 1984 and amended in 1988 to specify the contents of such notice and to require 45 days prior notification. It has since been determined that the notice requirements of the Act are satisfied with the quarterly and annual reports that funds transfer corporations and proprietary networks are required to file with the Commissioner. Therefore, Part 310.710 creates an unnecessary regulatory burden and is no longer deemed necessary by the Commissioner. Within the next several weeks, however, a major proprietary network in Illinois is planning to establish a point-of-sale debit terminal program in several hundred retail merchant locations throughout the state, with the expectations that such programs will become commonplace within the next few years. While such a program would benefit consumers to the same degree as the introduction of automatic teller machines (and represents the next step in the evolution of this state's electronic payment system), it cannot be effectively implemented under the present regulation. The

proposed amendment will eliminate the unnecessary and excessive filings that would be required under the present regulation and permit the efficient placement of point-of-sale debit terminals throughout this state.

- 9) A Complete Description of the Subjects and Issues Involved: Section 8-100 of the Electronic Fund Transfer Transmission Facility Act, Ill. Rev. Stat. 1991, ch. 17, par. 1337, requires that a notice of the establishment of a point-of-sale terminal be filed with the Commissioner detailing the location and identification of the person establishing the terminal. Part 310.710 was adopted in 1984 and amended in 1988 to specify the contents of such notice and to require 45 days prior notification. It has since been determined that the notice requirements of Section 8-100 of the Act are satisfied with the quarterly and annual reports that funds transfer corporations and proprietary networks are required to file with the Commissioner. Therefore, Part 310.710 creates an unnecessary regulatory burden and is no longer deemed necessary by the Commissioner. The proposed amendment will eliminate the unnecessary and excessive filings that would be required under the present regulation and permit the efficient placement of debit point-of-sale terminals throughout this state.

- 10) Are there any proposed amendments to this Part pending?  
No.

- 11) Statement of Statewide Policy Objectives: The emergency amendment does not create a mandate on units of local government, school districts or community college districts. Only persons who establish point-of-sale terminals are subject to this amendment.

- 12) Information and questions regarding this amendment shall be directed to:

Name: Bruce J. Baker, General Counsel  
Address: Commissioner of Banks and Trust Companies  
310 S. Michigan Avenue  
Suite 2130  
Chicago, Illinois 60604  
Telephone: (312) 793-2043

The full text of the emergency amendment begins on the next page:



COMMISSIONER OF BANKS AND TRUST COMPANIES  
 NOTICE OF EMERGENCY AMENDMENT  
 TITLE 38: FINANCIAL INSTITUTIONS  
 CHAPTER II: COMMISSIONER OF BANKS AND TRUST COMPANIES

PART 310  
 ELECTRONIC FUND TRANSFERS

Section  
 310.110 SUBPART A: SCOPE AND AUTHORITY (REPEALED)  
 Scope and Authority (Repealed)

Section  
 310.210 SUBPART B: DEFINITIONS  
 Definitions

Section  
 310.310 SUBPART C: ARBITRATION OF DISPUTES  
 310.320 Scope and Authority  
 310.330 Statement of Claim, Response and Reply  
 310.340 Motions  
 310.350 Appearances  
 310.360 Appointment of Hearing Officer  
 310.370 Service  
 Procedures

Section  
 310.410 SUBPART D: AUTOMATIC TELLER MACHINES  
 310.420 Notice of Intent to Establish an Off-Premise Automatic  
 Teller Machine(s)  
 310.430 Notice of Use of Automatic Teller Machine(s)  
 (Repealed)  
 310.440 Availability and Sharing of EFT Terminal(s),  
 Transmission Facilities and Similar Facilities  
 Dual Functioning Information Processing Machines  
 (Repealed)

Section  
 310.510 SUBPART E: CONSUMER PROTECTION  
 Consumer Protection

Section  
 310.610 SUBPART F: FUNDS TRANSFER CORPORATIONS AND  
 TRANSMISSION FACILITIES  
 Application to Establish and Operate a Funds Transfer  
 Corporation and Transmission Facility

COMMISSIONER OF BANKS AND TRUST COMPANIES  
 NOTICE OF EMERGENCY AMENDMENT

310.620 Examination of Funds Transfer Corporations and  
 Transmission Facilities  
 310.630 Annual Report of Funds Transfer Corporation  
 310.640 Hearings (Repealed)  
 310.650 Funds Transfer Corporation Annual Report - Multiple  
 Network Servicer  
 310.660 Quarterly Reports  
 310.670 Changes in Management, Operations and Ownership  
 310.680 Merger or Consolidation  
 310.690 Filing Standard Form Agreements  
 310.700 Fees and Charges

SUBPART G: POINT OF SALE TERMINALS (REPEALED)  
 Section  
 310.710 Notice of Intent to Serve a Point of Sale Terminal(s)  
 EMERGENCY (Repealed)

Section  
 310.810 SUBPART H: PROPRIETARY NETWORKS AND SIMILAR FACILITIES  
 Application to Establish and Operate a Proprietary  
 Network and Similar Facility(ies)  
 310.820 Examination of Proprietary Networks and Similar  
 Facilities  
 310.830 Annual Report of Proprietary Networks  
 310.840 Proprietary Network Annual Report - Multiple Network  
 Servicer  
 310.850 Quarterly Reports  
 310.860 Changes in Management, Operations and Ownership  
 310.870 Merger or Consolidation  
 310.880 Filing Standard Agreements  
 310.890 Fees and Charges

SUBPART I: INTERSTATE ELECTRONIC FUND TRANSFER  
 TRANSACTIONS

Section  
 310.910 Filing of Interstate Sharing Agreements

AUTHORITY: Implementing and authorized by Sections 5-100, 5-101, 6-101, 6-102, 6-104, 8-100, 8-101, 8-102, 8-103, 9-100, 9-101, 9-102, 9-103, 9-104, 9-106, 9-107, 9-111, 10-109 and 10-101 of the Electronic Fund Transfer Transmission Facility Act (Ill. Rev. Stat. 1991, ch. 17, pars. 1324, 1325, 1328, 1329, 1331, 1337, 1338, 1339, 1340, 1343, 1344, 1345, 1346, 1347, 1349, 1350, 1354, 1355 and 1356).



COMMISSIONER OF BANKS AND TRUST COMPANIES  
NOTICE OF EMERGENCY AMENDMENT

SOURCE: Emergency rule at 3 Ill. Reg. 48, p. 202, effective November 21, 1979, for a maximum of 150 days; emergency amendment at 4 Ill. Reg. 11, p. 83, effective March 5, 1980, for a maximum of 150 days; adopted at 4 Ill. Reg. 14, p. 145, effective April 4, 1980; emergency amendment at 4 Ill. Reg. 20, p. 105, effective May 10, 1980, for a maximum of 150 days; emergency amendment at 4 Ill. Reg. 25, p. 205, effective June 11, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 31, p. 29, effective August 1, 1980; amended at 4 Ill. Reg. 38, p. 131, effective September 19, 1980; amended at 4 Ill. Reg. 38, p. 138, effective September 19, 1980; amended at 4 Ill. Reg. 42, p. 8, effective October 17, 1980; emergency amendment at 6 Ill. Reg. 216, effective January 1, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 11476, effective September 15, 1982; amended at 6 Ill. Reg. 11476, effective October 1, 1982; amended at 7 Ill. Reg. 4120, effective March 30, 1983; codified at 8 Ill. Reg. 3275, amended at 12 Ill. Reg. 17774, effective October 20, 1988; emergency amendment at 16 Ill. Reg. 10353, effective June 11, 1992, for a maximum of 150 days.

COMMISSIONER OF BANKS AND TRUST COMPANIES  
NOTICE OF EMERGENCY AMENDMENT

SUBPART G: POINT OF SALE TERMINALS (REPEALED)

Section 310.710 Notice of Intent to Serve a Point of Sale Terminal(s) (Repealed)  
EMERGENCY

a) **Form of Notice.** Notice of intent to serve a point of sale terminal(s) shall be on a form adopted by the Commissioner and shall be filed pursuant to Section 8-100 of the Act.

b) **Procedure.**

1) The original of the notice together with any necessary attachments shall be filed with the Commissioner at least forty-five (45) days prior to the intended serving of such point of sale terminal(s). The forty-five (45) day period shall not commence until the notice is complete. The Commissioner shall determine the completeness of the notice within fifteen (15) business days after receipt.

2) The funds transfer corporation or proprietary network shall file a written notice for additional point of sale terminal location(s) established by a person for whom prior notice has been filed and acknowledged by the Commissioner. The written notice shall be filed at least forty-five (45) days prior to the intended serving of such point of sale terminal(s) and shall include the name and address of the person establishing the point of sale terminal, the date prior notice was accepted, the location of the additional point of sale terminal(s), and any information required by subsection (c) of this section which is different from the previously filed and accepted notice.

3) A funds transfer corporation or proprietary network shall notify the Commissioner in writing of the intent to discontinue serving a point of sale terminal location for which the Commissioner has acknowledged a notice at least ten (10) days prior to the discontinuance.



## COMMISSIONER OF BANKS AND TRUST COMPANIES

## NOTICE OF EMERGENCY AMENDMENT

e) Contents of Notice. Notice shall include:

- 1) the location(s) and proposed number of point of sale terminal(s) at each location(s);
- 2) a general description of the area(s) where the point of sale terminal(s) will be located;
- 3) the identity of the person establishing the point of sale terminal(s);
- 4) the manner of operation, including whether the point of sale terminal(s) will be on-line to the funds transfer corporation or proprietary network;
- 5) the kinds of transactions that will be performed by the point of sale terminal(s) pursuant to Section 8-104 of the Act;
- 6) whether the point of sale terminal(s) will be shared;
- 7) a copy of the written agreement(s) between the funds transfer corporation or proprietary network and the person establishing the point of sale terminal(s) or operator of the point of sale terminal(s); and
- 8) any other information pertinent to the ownership, establishment and operation of the point of sale terminal(s), including but not limited to any other agreements, such as: leases, fee income sharing agreements and machine servicing or maintenance agreements.

d) The Commissioner shall acknowledge the notice within thirty (30) days after receipt of a complete notice unless the Commissioner finds the activities proposed in the notice to be in violation of the Act. A notice shall be deemed complete when all information and attachments required by subsection (c) of this Section have been received by the Commissioner. A notice shall be deemed acknowledged if the financial institution which filed the notice has evidence the notice was received by the Commissioner and the Commissioner fails to act on the notice within thirty (30) days after receipt of a complete notice.

## COMMISSIONER OF BANKS AND TRUST COMPANIES

## NOTICE OF EMERGENCY AMENDMENT

e) Fees. Each notice filed with the Commissioner shall be accompanied by a fee in an amount determined by the Commissioner to cover the cost of processing the notice. In assessing a fee, the Commissioner shall look at such factors as administrative personnel services of the electronic data processing/electronic fund transfer division whose services are utilized in processing the notice, clerical personnel services and supplies estimated to be consumed in processing the notice.

(Source: Repealed at 16 Ill. Reg. 10353, effective June 11, 1992, for a maximum of 150 days)



## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

1) Heading of the Part:

Private Sewage Disposal Code

2) Code Citation:

77 Ill. Adm. Code 905

3) Register Citation to Notice of Proposed Amendments:

16 Ill. Reg. 8128 (May 29, 1992)

4) Date, Time and Location of Public Hearing:

5) 10:30 a.m. - 12:30 p.m.

July 17, 1992

Illinois Department of Public Health

1st Floor Training Room

525 West Jefferson

Springfield, Illinois 62761

6) Other Pertinent Information:

The hearing will be for the sole purpose of gathering public comment on the proposed amendments. Persons interested in presenting testimony at this hearing are advised that the Department will adhere to the following procedures in the conduct of the hearing.

1. Each person presenting oral testimony shall provide to the hearing officer a written (preferably typed) copy of such testimony at the time the oral testimony is presented. No oral testimony will be accepted without a written copy of the testimony being provided.
2. Each person presenting oral testimony will be limited to fifteen (15) minutes for the presentation of such testimony.
3. No person will be recognized to speak for a second time until all persons wishing to testify have done so. All testimony shall conclude at the specific times except that an individual in the midst of presenting testimony shall be allowed to complete his/her testimony.

## DEPARTMENT OF REVENUE

## REGULATORY AGENDA

Part Heading: Income TaxCode Citation: 86 Ill. Adm. Code 100

A description of the rule: Section 1501(a)(8) of the Illinois Income Tax Act (Ill. Rev. Stat. 1991, ch. 120, par. 15-1501(8)) provides the statutory definition of a "financial organization." As many practitioners will attest, the types of entities enumerated in that definition are not clearly defined in the statute or by Department regulation. Since financial organizations apportion income to Illinois by use of different apportionment formula than most companies, the definition applied to a particular taxpayer can result in significant tax savings or liability. The Department has attempted, in the past, to address specific taxpayer inquiries concerning the definition of a financial organization through individual letter rulings. Practitioners requested that we adopt a regulation which defines each type of entity. The definitions contained in the following regulatory agenda represent our first draft of the regulatory definition requested.

A regulatory agenda is not a proposed regulation. The Administrative Procedure Act, Ill. Rev. Stat. 1991, ch. 127, par. 1005a, allows an agency to submit for publication in the Illinois Register "regulatory agenda" to elicit public comments concerning any rule which the agency is considering proposing. We wanted the input of affected taxpayers and interested practitioners before we commit such definitions to the formal rulemaking process.

It is important to note that the definition of "financial organization" was enacted by the legislature in 1969 as part of the original Income Tax Act. The Department recognizes that the financial industry has changed considerably since that time. Therefore, it is our hope that questions and comments we receive from practitioners and the general public in response to this regulatory agenda will assist us in the development and adoption of any legislative amendments of the definition that might be necessary.

Statutory Authority: Ill. Rev. Stat. 1991, ch. 120 par. 15-1501(8)

Schedule of dates for hearings, meetings or other opportunities for public participation: No meetings or hearings have been scheduled at this time. Whether and when such meetings will be scheduled will be dependent upon the nature and extent of comment received on this proposal.

Date Agency anticipates submitting to the Administrative Code Division a Notice of Proposed Rules (Amendment, Repealer) for publication in the Illinois Register: We have not established any firm time periods by which we will initiate rulemaking. We wish to proceed expeditiously while allowing for an opportunity for the receipt and evaluation of all comments on this proposal.



DEPARTMENT OF REVENUE  
REGULATORY AGENDA

We request that all comments and questions be submitted to the Department by August 30.

Information concerning this regulatory agenda shall be directed to:

Constance W. Beard  
Manager  
Illinois Department of Revenue  
Legal Services Bureau  
101 W. Jefferson  
Springfield, IL 62791  
Phone: (217) 785-8256

Will this rule affect small business: This rule will affect any small business that falls within the definition of "financial organization."

Other pertinent information concerning this rule: The actual text of the proposed regulation is as follows:

**Section 100.9910 Financial Organizations (IITA Section 1501)**

**a) General definition.**

The term "financial organization" is defined in IITA Section 1501(a)(8) to mean any bank, bank holding company, trust company, savings bank, industrial bank, land bank, safe deposit company, private banker, savings and loan association, building and loan association, credit union, currency exchange, cooperative bank, small loan company, sales finance company, investment company, or any person which is owned by a bank or bank holding company. This definition constitutes an exclusive and exhaustive list of the types of entities which are "financial organizations" under the Illinois Income Tax Act.

**b) Bank**

The term "bank" includes any corporation subject to, and regulated by, Title 12 United States Code (Banks and Banking), Ill. Rev. Stat. 1991, ch. 17, (Banking and Finance), par. 101 et seq.

**c) Bank Holding Company**

The term "bank holding company" shall have the same meaning under the Illinois Income Tax Act as under 12 U.S.C. Section 1841(a), within the Bank Holding Company Act of 1956.

**d) Trust Company**

DEPARTMENT OF REVENUE  
REGULATORY AGENDA

The term "trust company" has the same meaning under the Illinois Income Tax Act as under Ill. Rev. Stat. 1989, ch. 17, par. 302, i.e., "a corporation incorporated in this State for the purpose of accepting and executing trusts".

**e) Savings Bank**

The term "savings bank" has the same meaning under the Illinois Income Tax Act as under 12 U.S.C. Section 1813(g), and includes all such banks which are governed by Ill. Rev. Stat. 1989, ch. 17, par. 101 et seq.

**f) Industrial Bank**

The term "industrial bank" means any corporation organized under, and subject to, the laws of any state or the United States, regarding industrial banks.

**g) Land Bank**

The term "land bank" includes all federally created banks organized to make loans on farm security at low interest rates as governed by 12 U.S.C., ch. 23 (Farm Credit System).

**h) Safe Deposit Company**

The term "safe deposit company" means a corporation which maintains vaults for the deposit and safekeeping of valuables in which compartments or boxes are rented to customers who have exclusive access thereto, subject to the oversight and under the rules and regulations of the corporation, which itself is governed by Title 12 U.S.C. (Banks and Banking) and Ill. Rev. Stat. 1989, ch. 17, par. 101 et seq.

**i) Private Banker**

The term "private banker" means an unincorporated banking institution owned by an individual or a partnership which may or not be subject to State regulation depending on State statutes.

**j) Savings and Loan Association**

The term "savings and loan association" means any depository institution governed by 12 U.S.C. Section 1461 et seq. or Ill. Rev. Stat. 1989, ch. 17, Sections 3301-1 et seq.

**k) Building and Loan Association**



## DEPARTMENT OF REVENUE

## REGULATORY AGENDA

The term "building and loan association" refers a variety of savings and loan associations organized to accumulate a fund by subscriptions and savings of members to assist them in building or purchasing for themselves dwellings or real estate by the loan to said members of the requisite money.

## 1) Credit Union

- 1) General. The term "credit union" has the same meaning under the Illinois Income Tax Act as under Ill. Rev. Stat. 1989, ch. 17, par. 4402, i.e., a cooperative, non-profit association, incorporated under Illinois law, under the laws of the United States of America or under the laws of another state, for the purposes of encouraging thrift among its members, creating a source of credit at a reasonable rate of interest, and providing an opportunity for its members to use and control their own money in order to improve their economic and social conditions. The membership of a credit union shall consist of a group or groups each having a common bond defined in the Illinois Credit Union Act, Ill. Rev. Stat. 1989, ch. 17, par. 4401 et seq.

## 2) Common Bond

The term "common bond" refers to groups of people who meet one of the following qualifications:

- A) Persons belong to a specific association, group or organization, such as a church, labor union, club or society and members of their immediate families which shall include any relative by blood or marriage or foster and adopted children.
- B) Persons who reside in a reasonably compact and well defined neighborhood or community, and members of their immediate families which shall include any relative by blood or marriage or foster and adopted children.
- C) Persons who have a common employer or who are members of an organized labor union or an organized occupational or professional group within a defined geographical area, and members of their immediate families which shall include any relative by blood or marriage or foster and adopted children.

## m) Currency Exchange

## DEPARTMENT OF REVENUE

## REGULATORY AGENDA

The term "currency exchange" means any person, firm, association, partnership or corporation, except banks incorporated under the laws of Illinois and National Banks organized pursuant to the laws of the United States, which are governed by Ill. Rev. Stat. 1989, ch. 17, par. 4801 et seq.

## n) Cooperative Bank

The term "cooperative bank" means any bank described at 12 U.S.C. Section 1813(a) which also governed specifically by 12 U.S.C., ch. 23, subchapter III (Banks for Cooperatives).

## o) Small Loan Company

The term "small loan company" means any person engaged in the business of making loans of money, credit, goods, or things in action, who would have been subject to the terms of Ill. Rev. Stat. ch. 17, par. 5601, prior to its repeal in 1985.

## p) Sales Finance Company

The term "sales finance company" means a person engaged primarily in the business of purchasing accounts receivable at a discount, and who or which is governed by Ill. Rev. Stat., ch. 17, pars. 5201 through 5235.

## q) Investment Company

An "investment company" is any company which is registered as an investment company under the Investment Company Act of 1940.

- r) Person Who is Owned by a Bank or Bank Holding Company under the Illinois Income Tax Act, the term "financial organization" means "any person which is owned by a bank or bank holding company". For these purposes, Illinois Income Tax Section 1501(a)(8) states that a "person" will include only those persons which a bank holding company may acquire and hold an interest in, directly or indirectly, under the provisions of the Bank Holding Company Act of 1956 (12 U.S.C. 1841, et seq.), except where interests in any person must be disposed of within certain required time limits under the Bank Holding Company Act of 1956.



JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYJOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

## SECOND NOTICES RECEIVED

SECOND NOTICES RECEIVED  
(page 2)

The following second notices were received by the Joint Committee on Administrative Rules during the period of June 10, 1992 through June 16, 1992, and have been scheduled for review by the Committee at its July 21, 1992 meeting at 10:00 a.m. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 509 South Sixth Street, Suite 500, Springfield, IL 62701.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
7/24/92	Department of Public Aid, Medical Payment (89 Ill Adm Code 140)	3/27/92 16 Ill Reg 4708	7/21/92
7/24/92	Department of Conservation, Sport Fishing Regulations for the Waters of Illinois (17 Ill Adm Code 810)	4/24/92 16 Ill Reg 6571	7/21/92
7/24/92	Illinois Commerce Commission, Guidelines for the Assessment of Penalties (General Order 55 (MC)) (92 Ill Adm Code 1440)	4/3/92 16 Ill Reg 5139	7/21/92
7/24/92	Department of Insurance, Internal Security Standard and Fidelity Bonds (50 Ill Adm Code 904)	3/20/92 16 Ill Reg 4159	7/21/92
7/24/92	Pollution Control Board, Organic Material Emission Standards and Limitations for the Metro-East Area (35 Ill Adm Code 219)	3/20/92 16 Ill Reg 4200	7/21/92
7/24/92	Pollution Control Board, Organic Material Emission Standards and Limitations (35 Ill Adm Code 215)	3/20/92 16 Ill Reg 4170	7/21/92
7/24/92	Pollution Control Board, Organic Material Emission Standards and Limitations for the Chicago Area (35 Ill Adm Code 218)	3/20/92 16 Ill Reg 4184	7/21/92
7/27/92	Department of Public Health, The Illinois Formula for the Drug Product Selection Program (77 Ill Adm Code 790)	3/27/92 16 Ill Reg 4782	7/21/92
7/27/92	Department of Public Health, Ambulatory Surgical Treatment Center Licensing Requirements (77 Ill Adm Code 205)	3/6/92 16 Ill Reg 3426	7/21/92
7/27/92	Department of Public Health, Illinois Health and Hazardous Substances Registry (77 Ill Adm Code 840)	3/20/92 16 Ill Reg 4329	7/21/92
7/27/92	Department of Public Aid, General Assistance (89 Ill Adm Code 114)	3/20/92 16 Ill Reg 4216	7/21/92
7/27/92	Department of Transportation, Ingersoll Airport Zoning Regulations, Repeal of (92 Ill Adm Code 50)	4/17/92 16 Ill Reg 6139	7/21/92
7/27/92	Department of Transportation, Ingersoll Municipal Airport Hazard Zoning (92 Ill Adm Code 50)	4/17/92 16 Ill Reg 6153	7/21/92
7/27/92	Commissioner of Banks and Trust Companies, Americans With Disabilities Act Grievance Procedure (4 Ill Adm Code 375)	3/20/92 16 Ill Reg 4125	7/21/92
7/27/92	Pollution Control Board, Organic Material Emission Standards and Limitations for the Chicago Area (35 Ill Adm Code 218)	3/27/92 16 Ill Reg 4693	7/21/92
7/27/92	Environmental Protection Agency, Procedures for Operation of the Potentially Infectious Medical Waste Transporter Fee System (35 Ill Adm Code 880)	4/17/92 16 Ill Reg 6127	7/21/92
7/30/92	Department of Mines and Minerals, The Illinois Oil and Gas Act (62 Ill Adm Code 240)	3/6/92 16 Ill Reg 3282	7/21/92



## PROCLAMATION

92-294

## BRIGADIER GENERAL THOMAS W. NAPOLITAN RECOGNIZED

Whereas, Brigadier General Thomas W. Napolitan began his military career in 1958 when he entered the U.S. Air Force; and

Whereas, in 1959, he earned his commission as a Strategic Air Command B-47 pilot and served on active duty until 1963; and

Whereas, General Napolitan joined the Illinois Air National Guard's 183rd Tactical Fighter Group in 1964; and

Whereas, in 1981, General Napolitan was appointed as an Air National Guard Advisor in the Pentagon, where he served with the Joint Chiefs of Staff for the Deputy Director of Operations; and

Whereas, he served as the Air National Guard Advisor to the Headquarters USAF Director of Operations from 1983 to 1986. From 1986 to 1989, he was National Guard Assistant to the Deputy Assistant Secretary of the Air Force for Reserve Affairs; and

Whereas, in 1989, General Napolitan was promoted to the rank of Brigadier General and served as Illinois' Assistant Adjutant General for Air; and

Whereas, in honor of his outstanding service and dedication, General Napolitan earned many awards, including the Legion of Merit, the Air Force Outstanding Unit Award, the Good Conduct Medal, and the National Defense Service Medal; and

Whereas, General Napolitan passed away June 1, 1992. The death of such a fine individual will leave an unfillable void in our state and the military community.

Therefore, I, Jim Edgar, Governor of the State of Illinois, recognize BRIGADIER GENERAL THOMAS W. NAPOLITAN for the many outstanding achievements he made in the military and the dedication he demonstrated on behalf of the welfare of our citizens.

Issued by the Governor June 4, 1992.

Filed with the Secretary of State June 12, 1992.

92-295

## BLACK EXPO WEEK

Whereas, in 1991, Black Expo Chicago attracted approximately 100,000 Illinois residents and visitors from neighboring states; and

Whereas, Black Expo Chicago brings together majority, minority, and African-American consumers, affording each an opportunity to have direct interface with the others for a common advantage; and

Whereas, Black Expo Chicago 1992 will be held July 17-19 at McCormick Place-Donnelley Hall. The event will provide an array of interesting, impactful, and educational activities to enrich and enlighten African-Americans of varying lifestyles; and

Whereas, Black Expo Chicago attendees will receive

information on economics, business, education, health care, and job placement via seminars, demonstrations, and lectures;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim July 13-19, 1992, as BLACK EXPO WEEK in Illinois and urge citizens to be cognizant of the activities planned for the exposition.

Issued by the Governor June 8, 1992.

Filed with the Secretary of State June 12, 1992.

92-296

## DICK WESTBROOK RECOGNIZED

Whereas, Dick Westbrook started his broadcast career in 1957 as the news director of WHOK radio in Lancaster, Ohio. He has held various posts in the broadcast industry, including president of both the Illinois News Broadcasters Association and the Illinois Associated Press Broadcasters; and

Whereas, Dick Westbrook was news director at WAND-TV in Decatur for 17 years before being named public affairs director in 1988; and

Whereas, through the years, Dick Westbrook has earned the respect of many Central Illinois citizens; and

Whereas, after 35 years in broadcasting, Dick Westbrook is retiring;

Therefore, I, Jim Edgar, Governor of the State of Illinois, recognize DICK WESTBROOK for his many contributions to the field of broadcasting.

Issued by the Governor June 8, 1992.

Filed with the Secretary of State June 12, 1992.

92-297

## DAY OF THE AFRICAN CHILD

Whereas, African children are as diverse as the continent itself--they live in modern cities, in isolated villages, in densely populated areas, and in remote deserts, under widely varied economic conditions; and

Whereas, we should give special thought to the children of Africa who are in imminent danger of death--from natural causes, from war and internal strife in their countries, from starvation or malnutrition, from disease or poor living conditions; and

Whereas, the Day of the African Child, the first event in the Decade of the African Child, is being commemorated in our state and throughout the world June 16; and

Whereas, to highlight the observances, the Organization of African Unite and UNICEF are coordinating activities in major cities of the world. Special events include conferences, parades, issuance of a special United Nations stamp for the Rights of the Child, and a variety of events for children to show that African children are in the thoughts and in the hearts of millions of



people;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 16, 1992, as THE DAY OF THE AFRICAN CHILD.

Issued by the Governor June 9, 1992.

Filed with the Secretary of State June 12, 1992.

92-298

**RICHARD R. HEIBERGER STUDIOS DAY**

Whereas, the Richard R. Heiberger Studios are committed to providing high quality arts instruction to persons from all segments of the community, regardless of age, ability, or financial circumstances; and

Whereas, the Richard R. Heiberger Studios are dedicated to providing instruction to foster creative and artistic expression at every level, from beginning to advanced study; and

Whereas, Richard R. Heiberger believes the arts can build bridges between people of different cultures and lifestyles, and that natural understanding is enhanced through sharing in study and performance; and

Whereas, the Richard R. Heiberger Studios value cooperation with the greater arts community, both local and national, to foster and strengthen advocacy for arts education, enrich cultural life, and encourage artistic achievement; and

Whereas, July 1, 1992, marks the 15th anniversary of the Richard R. Heiberger Studios;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim July 1, 1992, as RICHARD R. HEIBERGER STUDIOS DAY in Illinois.

Issued by the Governor June 9, 1992.

Filed with the Secretary of State June 12, 1992.

92-299

**COUNTRY ELEVATOR WEEK**

Whereas, agriculture is Illinois' largest industry and is vital to the future progress of our state's growth; and

Whereas, 1,100 country elevators serve as the point of first sale for most of our state's crop production; and

Whereas, country elevators provide a wide range of marketing services and crop and animal production services; and

Whereas, country elevators are the primary source of business in many rural communities in our state and are in integral part of the prosperity of our state's farmers and rural communities; and

Whereas, country elevators play an invaluable role in handling a large portion of our nation's food supply; and

Whereas, country elevators have operated in Illinois for more than a century;

Therefore, I, Jim Edgar, Governor of the State of Illinois,

proclaim August 16-22, 1992, as COUNTRY ELEVATOR WEEK in Illinois.

Issued by the Governor June 10, 1992.

Filed with the Secretary of State June 12, 1992.

92-300

**KOREA DAY**

Whereas, Korean Americans have contributed many talents and resources toward the enrichment of our cultural heritage; and

Whereas, the Korean American community has helped build the diversity and prosperity of our state through its commitment to hard work and social responsibility as productive and law-abiding citizens; and

Whereas, Korean Americans have put forth sincere effort to foster a community that is an integral part of the unique mosaic of American society; and

Whereas, August 15, 1992, marks the 47th anniversary of Korean Independence Day. To commemorate the anniversary, the Korean-American Association of Chicago is holding a number of events August 14 and 15;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 14, 1992, as KOREA DAY in Illinois.

Issued by the Governor June 10, 1992.

Filed with the Secretary of State June 12, 1992.

92-301

**WIC WEEK**

Whereas, the special supplemental food program for women, infants, and children, better known as WIC, provides counseling, nutrition education, food assistance, and referral of other health services to low-income pregnant women, their infants, and small children; and

Whereas, each month, 200 WIC clinics throughout our state provide approximately 217,000 people with such health services; and

Whereas, with the implementation of cost containment measures such as the Sole-Service Infant Formula Rebate Program, more citizens needing WIC benefits have been served; and

Whereas, WIC services promote the health and welfare of pregnant women, infants, and children and strive to prevent infant mortality and low birth weight infants; and

Whereas, it is important to increase public awareness of the vital role of nutrition and nutrition education in the health and welfare of our citizens;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 15-19, 1992, as WIC WEEK in Illinois.

Issued by the Governor June 10, 1992.

Filed with the Secretary of State June 12, 1992.



92-302

ILLINOIS LAW ENFORCEMENT TORCH RUN  
FOR SPECIAL OLYMPICS RECOGNITION WEEK

Whereas, the Illinois Law Enforcement Torch Run for Special Olympics supports opportunities for the physical, social, and psychological development of our mentally retarded citizens; and Whereas, the seventh annual Law Enforcement Torch Run for Special Olympics will kick off in all corners of our state and conclude at the Special Olympics opening ceremonies in Bloomington-Normal; and

Whereas, on June 19, a Special Olympian will carry an illuminated torch to Illinois State University's Hancock Stadium to officially open the ceremonies by lighting the Illinois Special Olympics Flame of Hope; and

Whereas, the Illinois Law Enforcement Torch Run helps turn more Special Olympians' dreams into realities by providing quality, competitive sporting events for special people;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 14-19, 1992, as ILLINOIS LAW ENFORCEMENT TORCH RUN FOR SPECIAL OLYMPICS RECOGNITION WEEK in Illinois and urge citizens to support this worthwhile cause.

Issued by the Governor June 11, 1992.  
Filed with the Secretary of State June 12, 1992.

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JCAR - Joint Committee on Administrative Rules	
ACTION CODES	
A - Adopted Rule	P - Proposed Rule
AR - Adopted Repealer	PF - Peremptory Filing Order by JCAR
C - Notice of Corrections	PP - Peremptory or Court Ordered Rules
CC - Codification Changes	PR - Proposed Repealer
E - Emergency Rule	R - Refusal to meet JCAR Objection
ER - Emergency Repealer	RC - Statement of Recommendation
M - Modification to meet JCAR objections	S - Suspension ordered by JCAR
O - JCAR Statement of Objections	W - Withdrawal to meet JCAR Objections
RQ - Request for Correction	

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-9786.

#### ABANDONED MINED LANDS RECLAMATION COUNCIL

62 III. Adm. Code 2501 Abandoned Mined Lands Reclamation (P-2719; A-8345) (E-2897)

#### AGING, DEPARTMENT ON

89 III. Adm. Code 240 Community Care Program (E-17398/91; S-1744; W-2955; M-2943) (P-17007/91; PF-1744; M-2930) (E-2630) (E-2901) (E-4069; RC-6898) (P-4087; C-5083)  
89 III. Adm. Code 230 Older Americans Act Programs (P-3605)

#### AGRICULTURE, DEPARTMENT OF

8 III. Adm. Code 1 Administrative Rules (Formal Administrative Proceedings; Contested Cases; Petitions; Declaratory Rulings; Public Disclosure) (P-8631)  
4 III. Adm. Code 550 Americans With Disabilities Act Grievance Procedure (P-5097)  
8 III. Adm. Code 30 Animal Control Act (P-3618)  
8 III. Adm. Code 110 Animal Diagnostic Laboratory Act (P-3624)  
8 III. Adm. Code 200 Commercial Feed Act (P-9169)  
8 III. Adm. Code 85 Diseased Animals (P-3635)  
8 III. Adm. Code 305 Governor's Agricultural Heritage Award (P-7949)  
8 III. Adm. Code 55 Hatcheries, Poultry Flocks, & Produce Thereof (P-3646)  
8 III. Adm. Code 90 III. Dead Animal Disposal Act (P-3653)  
8 III. Adm. Code 115 III. Pseudorabies Control Act (P-3661)  
8 III. Adm. Code 40 Livestock Auction Markets (P-3673)  
8 III. Adm. Code 125 Meat & Poultry Inspection Act (PP-1899) (P-1921; A-8349)  
2 III. Adm. Code 700 Organizational Chart, Description, Rulemaking Procedure, & Programs (A-3893)  
8 III. Adm. Code 235 Seed Arbitration (P-2969; A-8361)  
8 III. Adm. Code 211 Soil Amendments (P-7955)  
8 III. Adm. Code 580 Specialty Farm Product Buyers Act (P-8671)  
8 III. Adm. Code 5 Standardization of Agriculture Products (P-3231; A-8364)  
8 III. Adm. Code 105 Swine Disease Control & Eradication Act (P-3680)

#### ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF

4 III. Adm. Code 500 Americans With Disabilities Act Grievance Procedure (P-2721)

#### ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF (CONT'D)

77 III. Adm. Code 2031 Award Criteria & Procedure (P-9149/91; AR-2455)  
77 III. Adm. Code 2030 Award & Monitoring of Funds (P-9083/91; A-2457)  
77 III. Adm. Code 2056 Driving Under the Influence Programs (P-4567)  
77 III. Adm. Code 2030 Fiscal & Programmatic Requirements (P-9153/91; AR-2530)  
77 III. Adm. Code 2090 Subacute Alcoholism & Substance Abuse Treatment Services (P-5104)  
77 III. Adm. Code 2032 Suspension & Termination of Financial Assistance (P-9218; AR-2533)

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4 III. Adm. Code 125 Americans With Disabilities Act Grievance Procedure (P-2283)

#### BANKS AND TRUST COMPANIES, COMMISSIONER OF

38 III. Adm. Code 307 Acquisition of Former Main Banking Premises or Branches of Eligible Depository Institutions (P-5391)  
38 III. Adm. Code 354 Administration of Assets Obtained in Collection of a Debt (P-5395)  
4 III. Adm. Code 375 Americans With Disabilities Act Grievance Procedure (P-4125)  
38 III. Adm. Code 310 Electronic Fund Transfers (P-10125) (E-10353)

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80 III. Adm. Code 303 Conditions of Employment (P-327; A-8368)  
89 III. Adm. Code 1300 Day Care (P-5141/91; A-4819)  
80 III. Adm. Code 304 General Provisions (P-334)  
80 III. Adm. Code 302 Merit & Fitness (P-336; A-8375) (P-8675)  
44 III. Adm. Code 5010 Marking, Inventory, Transfer & Disposal of State-Owned Personal Property (P-10127)  
80 III. Adm. Code 310 Pay Plan (E-711) (P-12051/91; A-3450) (PP-5068; RC-6899) (P-6521) (E-6888) (PP-7056) (E-8239) (P-342; A-8382)  
44 III. Adm. Code 5030 Personal Use of State Telephones (P-18013/91; A-4826)  
80 III. Adm. Code 2650 Solicitation for Charitable Payroll Deductions (P-3235)  
80 III. Adm. Code 2800 Travel (P-15199/91; A-4831) (P-7079)

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89 III. Adm. Code 304 Access to & Eligibility for Child Welfare Services (P-7545)  
89 III. Adm. Code 336 Appeal of Child Abuse & Neglect Investigation Findings (P-7963)  
89 III. Adm. Code 305 Client Service Planning (P-5403)  
89 III. Adm. Code 377 Facilities & Programs Exempt from Licensure (P-7553)  
89 III. Adm. Code 352 Financial Responsibility of Parents or Guardians of the Estates of Children (P-13229/91; A-3924)  
89 III. Adm. Code 407 Licensing Standards for Day Care Centers (P-14729/92; A-7597)



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- 89 Ill. Adm. Code 406  
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- 89 Ill. Adm. Code 408  
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- 89 Ill. Adm. Code 378  
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- 89 Ill. Adm. Code 335  
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- 89 Ill. Adm. Code 309  
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- 89 Ill. Adm. Code 337  
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- 89 Ill. Adm. Code 302  
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- 14 Ill. Adm. Code 526  
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- 56 Ill. Adm. Code 2625  
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- 56 Ill. Adm. Code 2620  
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- 14 Ill. Adm. Code 520  
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- 47 Ill. Adm. Code 140  
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- 56 Ill. Adm. Code 2650  
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- 14 Ill. Adm. Code 550  
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- 47 Ill. Adm. Code 100  
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- 56 Ill. Adm. Code 2600  
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- 83 Ill. Adm. Code 760  
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- 92 Ill. Adm. Code 305  
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- 92 Ill. Adm. Code 1309  
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- 92 Ill. Adm. Code 1440  
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- 83 Ill. Adm. Code 440  
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- 83 Ill. Adm. Code 200  
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- 17 Ill. Adm. Code 970  
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- 17 III. Adm. Code 690 Squirrel Hunting (P-5157)
- 17 III. Adm. Code 880 Taking of Reptiles & Amphibians, The (P-13603/91; A-109)
- 17 III. Adm. Code 720 Taking of Wild Turkeys-Fall Archery Season, The (P-5466) (P-8681)
- 17 III. Adm. Code 715 Taking of Wild Turkeys-Fall Gun Season, The (P-5475)
- 17 III. Adm. Code 710 Taking of Wild Turkeys-Spring Season, The (P-14833/91; A-1843)
- 17 III. Adm. Code 1535 Timber Harvest Fees (P-2979; A-8499)
- 17 III. Adm. Code 1538 Urban Forestry Grant Program (P-775; W-4555)
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- 17 III. Adm. Code 670 White-Tailed Deer Hunting by Use of Bow and Arrow (P-5482)
- 17 III. Adm. Code 650 White-Tailed Deer Hunting by Use of Firearms (P-5501)
- 17 III. Adm. Code 680 White-Tailed Deer Hunting Season by Use of Handguns (P-10138)
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- 20 III. Adm. Code 504 Discipline & Grievances (P-3715)
- 20 III. Adm. Code 525 Rights & Privileges (E-3583)(P-5166)
- 20 III. Adm. Code 405 School District #428 (P-5176)
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- 29 III. Adm. Code 205 Local & Interjurisdictional Disaster Preparedness Plans (P-5556)
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- 56 III. Adm. Code 2720 Claims, Adjudication, Appeals & Hearings (P-14343/91; A-2556) (E-7506)
- 56 III. Adm. Code 2770 Determination of Unemployment Contributions (P-13257/91; A-1118)
- 56 III. Adm. Code 2732 Employment (P-3248; A-8173)
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- 35 III. Adm. Code 360 General Conditions of State of Ill. Grants for Sewage Treatment Works Under the Anti-Pollution Bond Act of 1970 (P-15202/91; A-5891)
- 68 III. Adm. Code 870 Landfill Operators Certification (P-12094/91; A-3096)
- 35 III. Adm. Code 859 Procedures for Collection of Review & Evaluation Services Costs (P-8348/91; A-6995)
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- 35 III. Adm. Code 303 Water Use Designations & Site Specific Water Quality Standards (P-7302) (P-17026/91; W-7511)

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- 4 III. Adm. Code 275 Americans With Disabilities Act Grievance Procedure (P-2010; A-7003)
- 68 III. Adm. Code 1175 Barber, Cosmetology & Esthetics Act of 1985, The (P-8033)
- 68 III. Adm. Code 1470 Clinical Social Work & Social Work Practice Act (P-18348/91; A-7009)
- 68 III. Adm. Code 1150 III. Architecture Practice Act of 1989 (P-2492/91; A-3143)
- 68 III. Adm. Code 1200 III. Certified Shorthand Reporters Act of 1984 (P-14369/91; A-3169)
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TYPE OF RULEMAKING

am = amendment to existing Section  
cc = codification changes  
n = new Section  
r = repeal of existing Section  
re = recodified  
# = renumbered

ACTION CODES

A = Adopted rule  
C = Correction  
CC = Codification Changes  
E = Emergency rule  
F = Failure to Remedy  
M = Modification  
O = JCAR Objection  
P = Proposed rule  
PF = Prohibited filing  
PP = Peremptory rule  
R = Refusal to Modify  
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RQ = Request for Correction  
S = Suspend rule  
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436.10	r (P-15655/91; A-4520)
436.20	am (P-15655/91; A-4520)
436.30	r (P-15655/91; A-4520)
436.40	r (P-15655/91; A-4520)
436.50	r (P-15655/91; A-4520)
436.60	am (P-15655/91; A-4520)
436.70	am (P-15655/91; A-4520)
436.80	r (P-15655/91; A-4520)
436.90	r (P-15655/91; A-4520)
436.100	am (P-15655/91; A-4520)
436.110	am (P-15655/91; A-4520)
436.120	r (P-15655/91; A-4520)
436.130	am (P-15655/91; A-4520)
436.140	r (P-15655/91; A-4520)
440.40	am (P-6755)







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## TITLE 17 (CONT'D)

680.10	am	(P-10138)	970.20	r	(P-2727; R-8497)
680.20	am	(P-10138)	970.30	r	(P-2727; R-8497)
680.60	am	(P-10138)	970.40	r	(P-2727; R-8497)
680.70	am	(P-10138)	970.60	r	(P-2727; R-8497)
680.80	am	(P-10138)	1110.30	am	(P-13594/91; A-103)
690.20	am	(P-5157)	1530.30	am	(P-2972; A-8489)
690.30	am	(P-5157)	1530.50	am	(P-2972; A-8489)
710.10	am	(P-14833/91; A-1843)	1530.60	am	(P-2972; A-8489)
710.20	am	(P-14833/91; A-1843)	1530.Ex.A	n	(P-2972; A-8489)
710.21	n	(P-14833/91; A-1843)	1530.Ex.B	n	(P-2972; A-8489)
710.30	am	(P-14833/91; A-1843)	1535.1	n	(P-2979; A-8499)
710.50	am	(P-14833/91; A-1843)	1535.5	am	(P-2979; A-8499)
715.10	am	(P-5475)	1535.50	am	(P-2979; A-8499)
715.20	am	(P-5475)	1538.5	n	(P-755; W-4555) (P-4148)
715.40	am	(P-5475)	1538.10	n	(P-755; W-4555) (P-4148)
720.10	am	(P-5466)	1538.20	n	(P-755; W-4555) (P-4148)
720.20	am	(P-5466)	1538.30	n	(P-755; W-4555) (P-4148)
720.30	am	(P-5466) (P-8681)	1538.40	n	(P-755; W-4555) (P-4148)
720.40	am	(P-5466)	1538.50	n	(P-755; W-4555) (P-4148)
730.20	am	(P-5143)	1538.60	n	(P-755; W-4555) (P-4148)
730.30	am	(P-5143)	1538.70	n	(P-755; W-4555) (P-4148)
740.10	am	(P-5540)	1538.80	n	(P-755; W-4555) (P-4148)
740.20	am	(P-5540)	1590.50	am	(P-4132)
810.35	am	(P-17817/91; A-5267)	1590.60	am	(P-4132)
810.37	am	(P-17817/91; A-5267)	1590.70	am	(P-4132)
810.45	am	(P-17817/91; A-5267)	1590.80	am	(P-4132)
	am	(P-6571) (E-6016)	1590.90	am	(P-4132)
810.60	am	(P-17817/91; A-5267)	1590.100	am	(P-4132)
810.70	am	(P-17817/91; A-5267)	1590.110	am	(P-4132)
810.90	am	(P-17817/91; A-5267)	1590.120	am	(P-4132)
830.60	am	(P-18327/91; A-5257)	2030.15	am	(P-2302; A-8483)
830.70	am	(P-18327/91; A-5257)	2030.20	am	(P-2302; A-8483)
830.90	am	(P-18327/91; A-5257)	2520.50	am	(P-2297; A-8479)
850.10	am	(P-4616)	3010.40	am	(P-14794/91; A-1806)
850.20	am	(P-4616)	3010.50	am	(P-14794/91; A-1806)
850.30	am	(P-4616)	3010.70	am	(P-14794/91; A-1806)
880.10	n	(P-13603/91; A-109)	3010.80	am	(P-14794/91; A-1806)
880.20	n	(P-13603/91; A-109)	3020.20	am	(P-14820/91; A-1833)
880.30	n	(P-13603/91; A-109)	3020.40	am	(P-14820/91; A-1833)
880.40	n	(P-13603/91; A-109)	3020.50	am	(P-14820/91; A-1833)
880.50	n	(P-13603/91; A-109)	3020.70	am	(P-14820/91; A-1833)
890.10	n	(P-17811/91; A-5262)	3020.80	am	(P-14820/91; A-1833)
890.20	n	(P-17811/91; A-5262)	3030.30	am	(P-14807/91; A-1816)
890.30	n	(P-17811/91; A-5262)	3030.50	am	(P-14807/91; A-1816)
890.40	n	(P-17811/91; A-5262)	3030.60	am	(P-14807/91; A-1816)
890.50	n	(P-5429)	3035.40	am	(P-14783/91; A-1797)
950.20	am	(P-5429)	3035.70	am	(P-14783/91; A-1797)
960.30	am	(P-5433)	3035.80	am	(P-14783/91; A-1797)
970.10	r	(P-2727; R-8497)	4170.100	n	(P-5576)

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4170.110	n	(P-5576)	1235.40	n	(E-17785/91; O-1746)
4170.120	n	(P-5576)	1235.50	n	(P-17566/91; A-7041)
4170.130	n	(P-5576)	1235.60	n	(P-17566/91; A-7041)
4170.200	n	(P-5576)	1235.70	n	(E-17785/91; O-1746)
4170.250	n	(P-5576)	1235.80	n	(P-17566/91; A-7041)
4170.300	n	(P-5576)	1235.90	n	(E-17785/91; O-1746)
4170.400	n	(P-5576)	1235.100	n	(P-17566/91; A-7041)
4170.500	n	(P-5576)	1235.110	n	(E-17785/91; O-1746)
4170.550	n	(P-5576)	1235.120	n	(P-17566/91; A-7041)
4170.600	n	(P-5576)	1235.130	n	(E-17785/91; O-1746)
4170.700	n	(P-5576)	1285.10	n	(P-17566/91; A-7041)
4170.800	n	(P-5576)	1285.20	n	(P-3840)
	am	(P-17010/91; A-6979)	1285.30	n	(P-3840)
210.20	am	(P-17010/91; A-6979)	1285.40	n	(P-3840)
210.30	am	(P-5176)	1285.50	n	(P-3840)
405.20	am	(P-5176)	1285.60	n	(P-3840)
405.50	am	(P-5176)	1285.70	n	(P-3840)
405.60	am	(P-5176)	1285.80	n	(P-3840)
435.10	am	(P-1941; A-8166)	1570.10	n	(P-2732)
435.12	n	(P-1941; A-8166)	1570.20	n	(P-2732)
435.15	am	(P-1941; A-8166)	1570.30	n	(P-2732)
435.20	am	(P-1941; A-8166)	1570.40	n	(P-2732)
435.30	am	(P-1941; A-8166)	1570.50	n	(P-2732)
435.40	am	(P-1941; A-8166)	1570.60	n	(P-2732)
435.50	am	(P-1941; A-8166)	1580.10	n	(P-1948)
435.60	am	(P-1941; A-8166)	1580.20	n	(P-1948)
435.70	n	(P-1941; A-8166)	1580.30	n	(P-1948)
504.802	am	(P-3715)	1580.40	n	(P-1948)
504.810	am	(P-3715)	1580.50	n	(P-1948)
504.830	am	(P-3715)	1720.15	am	(P-15251/91; A-4002)
504.905	am	(P-3715)	1720.35	n	(E-727) (P-7756)
504.910	am	(P-3715)	1800.10	n	(P-10)
504.920	am	(P-3715)	1800.20	n	(P-10)
504.930	am	(P-3715)	1800.30	n	(P-10)
525.110	am	(E-3583) (P-5166)	1800.40	n	(P-10)
525.130	am	(E-3583) (P-5166)	1810.100	n	(P-469) (E-732)
525.140	am	(E-3583) (P-5166)	1810.110	n	(P-469) (E-732)
525.150	am	(E-3583) (P-5166)	1810.200	n	(P-469) (E-732)
105.10	n	(P-4803)	1810.210	n	(P-469) (E-732)
1205.20	n	(P-4803)	1810.220	n	(P-469) (E-732)
1205.30	n	(P-4803)	1810.230	n	(P-469) (E-732)
1205.40	n	(P-4803)			
1205.50	n	(P-4803)			
1235.10	n	(E-17785/91; O-1746)			
1235.20	n	(P-17566/91; A-7041)			
1235.30	n	(P-17566/91; A-7041)			
	n	(E-17785/91; O-1746)			



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1810.240	n	(P-469) (E-732)	130.40	am	(P-1439; A-9475)
1810.250	n	(P-469) (E-732)	130.45	n	(P-1439; A-9475)
1810.300	n	(P-469) (E-732)	130.50	am	(P-1439; A-9475)
1810.400	n	(P-469)	202.10	am	(P-7231)
1810.410	n	(P-469) (E-732)	202.20	am	(P-7231)
1810.420	n	(P-469) (E-732)	202.30	am	(P-7231)
1810.430	n	(P-469) (E-732)	202.40	am	(P-7231)
1810.440	n	(P-469) (E-732)	202.44	n	(P-7231)
1810.500	n	(P-469) (E-732)	202.46	n	(P-7231)
1810.510	n	(P-469) (E-732)	202.50	am	(P-7231)
1810.520	n	(P-469) (E-732)	202.60	am	(P-7231)
1810.530	n	(P-469) (E-732)	226.605	am	(P-3724)
1810.540	n	(P-469) (E-732)	226.640	am	(P-3724)
1810.550	n	(P-469) (E-732)	228.15	n	(P-9253)
1810.600	n	(P-469) (E-732)	228.20	am	(P-9253)
1810.610	n	(P-469) (E-732)	228.25	am	(P-9253)
1810.620	n	(P-469) (E-732)	228.30	am	(P-9253)
1810.700	n	(P-469) (E-732)	228.50	am	(P-9253)
1810.710	n	(P-469) (E-732)	235.10	n	(P-439; A-10181)
1810.720	n	(P-469) (E-732)	235.20	n	(P-439; A-10181)
1810.730	n	(P-469) (E-732)	235.30	n	(P-439; A-10181)
1810.800	n	(P-469) (E-732)	235.40	n	(P-439; A-10181)
1810.900	n	(P-469) (E-732)	235.45	n	(P-439; A-10181)
1810.910	n	(P-469) (E-732)	235.50	n	(P-439; A-10181)
1810.1000	n	(P-469) (E-732)	235.60	n	(P-439; A-10181)
1810.1010	n	(P-469) (E-732)	235.100	n	(P-439; A-10181)
1810.1020	n	(P-469) (E-732)	235.110	n	(P-439; A-10181)
1810.1100	n	(P-469) (E-732)	235.120	n	(P-439; A-10181)
1810.1110	n	(P-469) (E-732)	235.130	n	(P-439; A-10181)
			235.135	n	(P-439; A-10181)
			235.140	n	(P-439; A-10181)
			235.150	n	(P-439; A-10181)
			260.40	am	(P-5550)
1.230	am	(P-8684)	1015.10	n	(P-14852/91; A-4496)
1.240	am	(P-8684)	1015.20	n	(P-14852/91; A-4496)
1.420	am	(P-8684)	1015.30	n	(P-14852/91; A-4496)
1.440	am	(P-8684)	1015.40	n	(P-14852/91; A-4496)
1.720	am	(P-8684)	1015.50	n	(P-14852/91; A-4496)
1.730	am	(P-8684)	1015.60	n	(P-14852/91; A-4496)
1.735	am	(P-8684)	1015.70	n	(P-14852/91; A-4496)
1.736	n	(P-8684)	1015.70	n	(P-14852/91; A-4496)
25.120	am	(P-9234)	2700.10	am	(P-4368)
25.220	am	(P-9234)	2700.20	am	(P-4368)
120.10	am	(P-1452; A-10213)	2700.30	am	(P-4368)
120.30	am	(P-1452; A-10213)	2700.40	am	(P-4368)
120.40	am	(P-1452; A-10213)	2700.50	am	(P-4368)
120.50	am	(P-1452; A-10213)	2700.55	am	(P-4368)
120.60	am	(P-1452; A-10213)	2700.60	am	(P-4368)
120.90	am	(P-1452; A-10213)	2700.70	am	(P-4368)
130.10	am	(P-1439; A-9475)	2720.5	am	(P-4386)
130.20	am	(P-1439; A-9475)	2720.6	am	(P-4386)

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2720.10	am	(P-15026/91; A-4060)	2763.40	n	(P-18129/91; A-7048)
		(P-4386)	2763.50	n	(P-18129/91; A-7048)
2720.20	am	(P-4386)	2770.10	#	(P-4491)
2720.25	n	(P-4386)	2770.10	n	(P-4491)
2720.30	am	(P-4386)	2770.20	n	(P-4491)
2720.40	am	(P-15026/91; A-4060)	2770.30	#	(P-4491)
		(P-4386)	2770.30	am	(P-4491)
2720.50	am	(P-4386)	2771.10	n	(P-18114/91; A-6873)
2720.55	am	(P-4386)	2771.20	n	(P-18114/91; A-6873)
2720.60	am	(P-4386)	2771.30	n	(P-18114/91; A-6873)
2720.70	am	(P-4386)	2771.Ap.A	n	(P-18114/91; A-6873)
2720.80	am		2790.10	am	(P-4431)
2720.90	n	(P-4386)	2790.20	am	(P-4431)
2720.105	am	(P-4386)	2790.30	am	(P-4431)
2720.120	am	(P-4386)	2790.40	am	(P-4431)
2720.130	am	(P-4386)	2790.50	am	(P-4431)
2720.200	am	(P-4386)	2790.60	am	(P-4431)
2720.210	am	(P-4386)	2790.70	am	(P-4431)
2720.Ap.A	am	(P-4386)	2790.80	am	(P-4431)
2730.5	am	(P-4416)	2790.90	am	(P-4431)
2730.10	am	(P-4416)	2790.100	am	(P-4431)
2730.20	am	(P-4416)	2790.110	am	(P-4431)
2733.10	am	(P-4423)	2790.120	am	(P-4431)
2733.20	am	(P-4423)(P-18121/91; A-6880)	2790.130	am	(P-4431)
		(P-4423)	2790.140	am	(P-4431)
2733.30	am	(P-4423)	2790.Ap.A	r	(P-4431)
		(P-6880)	3030.50	am	(P-15968/91; A-10329)
2735.10	am	(P-4458)	3040.160	am	(P-7321)
2735.20	am	(P-4458)			
2735.30	am	(P-4458)			
2735.40	am	(P-4458)			
2735.50	am	(P-4458)			
2735.60	am	(P-4458)			
2735.70	am	(P-4458)			
2735.80	am	(P-4458)	205.10	am	(P-5556)
2735.100	am	(P-4458)	205.20	am	(P-5556)
2735.Ap.A	am	(P-4458)	205.30	am	(P-5556)
2760.5	am	(P-4483)	205.40	am	(P-5556)
2760.10	am	(P-4483)			
2760.30	am	(P-4483)			
2760.40	am	(P-4483)	210.10	n	(P-2003)
2761.10	am	(P-4452)	210.20	n	(P-2003)
2761.20	am	(P-4452)	210.30	n	(P-2003)
2761.30	am	(P-4452)	210.40	n	(P-2003)
2762.10	am	(P-4475)	210.50	n	(P-2003)
2762.20	am	(P-4475)	210.60	n	(P-2003)
2762.30	am	(P-4475)	210.70	n	(P-2003)
2762.40	am	(P-4475)	331.110	am	(P-2984)
2763.10	n	(P-18129/91; A-7048)	331.120	am	(P-2984)
2763.20	n	(P-18129/91; A-7048)	331.130	am	(P-2984)







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611.650	r	(P-5582)	R-1702; A-1538)
611.657	r	(P-5582)	(P-10303/91; O-17791/91;
611.658	n	(P-5582)	R-1702; A-1538)
611.851	am	(P-5582)	(P-10303/91; O-17791/91);
611.Ap-A	am	(P-5582)	R-1702; A-1538)
615.101	n	(P-10303/91; O-17791/91);	(P-10303/91; O-17791/91);
615.102	n	R-1702; A-1538)	R-1702; A-1538)
615.103	n	(P-10303/91; O-17791/91);	(P-10303/91; O-17791/91);
615.104	n	R-1702; A-1538)	R-1702; A-1538)
615.105	n	(P-10303/91; O-17791/91);	(P-10303/91; O-17791/91);
615.106	n	R-1702; A-1538)	R-1702; A-1538)
615.201	n	(P-10303/91; O-17791/91);	(P-10303/91; O-17791/91);
615.202	n	R-1702; A-1538)	R-1702; A-1538)
615.203	n	(P-10303/91; O-17791/91);	(P-10303/91; O-17791/91);
615.204	n	R-1702; A-1538)	R-1702; A-1538)
615.205	n	(P-10303/91; O-17791/91);	(P-10303/91; O-17791/91);
615.206	n	R-1702; A-1538)	R-1702; A-1538)
615.207	n	(P-10303/91; O-17791/91);	(P-10303/91; O-17791/91);
615.208	n	R-1702; A-1538)	R-1702; A-1538)
615.209	n	(P-10303/91; O-17791/91);	(P-10303/91; O-17791/91);
615.210	n	R-1702; A-1538)	R-1702; A-1538)
615.211	n	(P-10303/91; O-17791/91);	(P-10303/91; O-17791/91);
615.301	n	R-1702; A-1538)	R-1702; A-1538)
615.302	n	(P-10303/91; O-17791/91);	(P-10303/91; O-17791/91);
615.303	n	R-1702; A-1538)	R-1702; A-1538)
615.304	n	(P-10303/91; O-17791/91);	(P-10303/91; O-17791/91);
615.305	n	R-1702; A-1538)	R-1702; A-1538)
615.306	n	(P-10303/91; O-17791/91);	(P-10303/91; O-17791/91);
		R-1702; A-1538)	R-1702; A-1538)

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18	18	18	18	18
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86	86	86	86	86
87	87	87	87	

TITLE 35 (CONT'D)

**TITLE 35 (CONT'D)**

616.447	n	(P-9836/91; O-17793/91; R-1723; A-1592)	617.101	n	(P-9882/91; O-17794/91; R-1734; A-1639)
616.462	n	(P-9836/91; O-17793/91; R-1723; A-1592)	617.102	n	(P-9882/91; O-17794/91; R-1734; A-1639)
616.463	n	(P-9836/91; O-17793/91; R-1723; A-1592)	620.450	am	(P-7286)
616.464	n	(P-9836/91; O-17793/91; R-1723; A-1592)	703.150	am	(P-1058; A-9767)
616.501	n	(P-9836/91; O-17793/91; R-1723; A-1592)	703.155	am	(P-1058; A-9767)
616.501	n	(P-9836/91; O-17793/91; R-1723; A-1592)	703.157	am	(P-1058; A-9767)
616.502	n	(P-9836/91; O-17793/91; R-1723; A-1592)	703.208	n	(P-1058; A-9767)
616.502	n	(P-9836/91; O-17793/91; R-1723; A-1592)	703.211	am	(P-1058; A-9767)
616.601	n	(P-9836/91; O-17793/91; R-1723; A-1592)	703.232	n	(P-1058; A-9767)
616.601	n	(P-9836/91; O-17793/91; R-1723; A-1592)	703.280	am	(P-1058; A-9767)
616.602	n	(P-9836/91; O-17793/91; R-1723; A-1592)	703.283	am	(P-1058; A-9767)
616.602	n	(P-9836/91; O-17793/91; R-1723; A-1592)	703.Ap.A	am	(P-1058; A-9767)
616.603	n	(P-9836/91; O-17793/91; R-1723; A-1592)	720.110	am	(P-791; A-9489)
616.603	n	(P-9836/91; O-17793/91; R-1723; A-1592)	720.111	am	(P-9301)
616.604	n	(P-9836/91; O-17793/91; R-1723; A-1592)	721.102	am	(P-9301)
616.605	n	(P-9836/91; O-17793/91; R-1723; A-1592)	721.103	am	(P-820; A-9519)
616.621	n	(P-9836/91; O-17793/91; R-1723; A-1592)	721.104	am	(P-820; A-9519)
616.621	n	(P-9836/91; O-17793/91; R-1723; A-1592)	721.106	am	(P-820; A-9519)
616.622	n	(P-9836/91; O-17793/91; R-1723; A-1592)	721.120	am	(P-820; A-9519)
616.622	n	(P-9836/91; O-17793/91; R-1723; A-1592)	721.122	am	(P-9330)
616.623	n	(P-9836/91; O-17793/91; R-1723; A-1592)	721.131	am	(P-820; A-9519)
616.623	n	(P-9836/91; O-17793/91; R-1723; A-1592)	721.132	am	(P-15910/91; A-2600)
616.624	n	(P-9836/91; O-17793/91; R-1723; A-1592)	721.Ap.I	am	(P-820; A-9519)
616.625	n	(P-9836/91; O-17793/91; R-1723; A-1592)	721.Tb.A	am	(P-9288/91; A-2155)
616.625	n	(P-9836/91; O-17793/91; R-1723; A-1592)	721.Tb.B	am	(P-9288/91; A-2155)
616.701	n	(P-9836/91; O-17793/91; R-1723; A-1592)	721.Tb.D	n	(P-820; A-9519)
616.702	n	(P-9836/91; O-17793/91; R-1723; A-1592)	722.110	am	(P-1112; A-9822)
616.702	n	(P-9836/91; O-17793/91; R-1723; A-1592)	722.134	am	(P-1112; A-9822)
616.702	n	(P-9836/91; O-17793/91; R-1723; A-1592)	722.153	am	(P-9358)
616.703	n	(P-9836/91; O-17793/91; R-1723; A-1592)	722.156	am	(P-9358)
616.704	n	(P-9836/91; O-17793/91; R-1723; A-1592)	724.212	am	(P-1123; A-9833)
616.704	n	(P-9836/91; O-17793/91; R-1723; A-1592)	724.247	am	(P-9364)
616.705	n	(P-9836/91; O-17793/91; R-1723; A-1592)	724.440	am	(P-1123; A-9833)
616.705	n	(P-9836/91; O-17793/91; R-1723; A-1592)	724.930	am	(P-1123; A-9833)
616.721	n	(P-9836/91; O-17793/91; R-1723; A-1592)	724.935	am	(P-1123; A-9833)
616.721	n	(P-9836/91; O-17793/91; R-1723; A-1592)	725.113	am	(P-875; A-9578)
616.722	n	(P-9836/91; O-17793/91; R-1723; A-1592)	725.173	am	(P-875; A-9578)
616.722	n	(P-9836/91; O-17793/91; R-1723; A-1592)	725.191	am	(P-9336)
616.723	n	(P-9836/91; O-17793/91; R-1723; A-1592)	725.212	am	(P-875; A-9578)
616.723	n	(P-9836/91; O-17793/91; R-1723; A-1592)	725.213	am	(P-875; A-9578)
616.724	n	(P-9836/91; O-17793/91; R-1723; A-1592)	725.247	am	(P-9336)
616.724	n				

725.952	am	(P-875; A-9578)	728.Tb.A	am	(P-916; A-9619)
726.130	r	(P-1148; A-9858)	728.Tb.B	am	(P-916; A-9619)
726.131	r	(P-1148; A-9858)	728.Tb.C	am	(P-916; A-9619)
726.132	r	(P-1148; A-9858)	728.Tb.D	am	(P-916; A-9619)
726.133	r	(P-1148; A-9858)	728.Tb.E	am	(P-916; A-9619)
726.134	r	(P-1148; A-9858)	728.Tb.H	n	(P-916; A-9619)
726.135	r	(P-1148; A-9858)	731.110	am	(P-2330; A-7407)
726.140	am	(P-1148; A-9858)	731.111	r	(P-2330; A-7407)
726.200	n	(P-1148; A-9858)	731.112	am	(P-2330; A-7407)
726.201	n	(P-1148; A-9858)	731.113	am	(P-2330; A-7407)
726.202	n	(P-1148; A-9858)	731.114	r	(P-2330; A-7407)
726.203	n	(P-1148; A-9858)	731.120	r	(P-2330; A-7407)
726.204	n	(P-1148; A-9858)	731.121	r	(P-2330; A-7407)
726.205	n	(P-1148; A-9858)	731.122	am	(P-2330; A-7407)
726.206	n	(P-1148; A-9858)	731.130	r	(P-2330; A-7407)
726.207	n	(P-1148; A-9858)	731.131	r	(P-2330; A-7407)
726.208	n	(P-1148; A-9858)	731.132	r	(P-2330; A-7407)
726.209	n	(P-1148; A-9858)	731.133	r	(P-2330; A-7407)
726.210	n	(P-1148; A-9858)	731.134	r	(P-2330; A-7407)
726.211	n	(P-1148; A-9858)	731.140	r	(P-2330; A-7407)
726.212	n	(P-1148; A-9858)	731.141	r	(P-2330; A-7407)
726.219	n	(P-1148; A-9858)	731.142	r	(P-2330; A-7407)
726.Ap.A	n	(P-1148; A-9858)	731.143	r	(P-2330; A-7407)
726.Ap.B	n	(P-1148; A-9858)	731.144	r	(P-2330; A-7407)
726.Ap.C	n	(P-1148; A-9858)	731.145	r	(P-2330; A-7407)
726.Ap.D	n	(P-1148; A-9858)	731.150	r	(P-2330; A-7407)
726.Ap.E	n	(P-1148; A-9858)	731.151	r	(P-2330; A-7407)
726.Ap.F	n	(P-1148; A-9858)	731.152	r	(P-2330; A-7407)
726.Ap.G	n	(P-1148; A-9858)	731.153	r	(P-2330; A-7407)
726.Ap.H	n	(P-1148; A-9858)	731.161	am	(P-2330; A-7407)
726.Ap.I	n	(P-1148; A-9858)	731.162	am	(P-2330; A-7407)
726.Ap.J	n	(P-1148; A-9858)	731.170	r	(P-2330; A-7407)
726.Ap.K	n	(P-1148; A-9858)	731.171	r	(P-2330; A-7407)
726.Ap.L	n	(P-1148; A-9858)	731.172	r	(P-2330; A-7407)
726.Tb.A	n	(P-1148; A-9858)	731.173	r	(P-2330; A-7407)
728.107	am	(P-916; A-9619)	731.174	r	(P-2330; A-7407)
728.109	am	(P-916; A-9619)	731.190	r	(P-2330; A-7407)
728.110	n	(P-916; A-9619)	731.191	r	(P-2330; A-7407)
728.111	n	(P-916; A-9619)	731.192	r	(P-2330; A-7407)
728.112	n	(P-916; A-9619)	731.193	r	(P-2330; A-7407)
728.113	n	(P-916; A-9619)	731.194	r	(P-2330; A-7407)
728.133	am	(P-916; A-9619)	731.195	r	(P-2330; A-7407)
728.135	am	(P-916; A-9619)	731.196	r	(P-2330; A-7407)
728.140	am	(P-916; A-9619)	731.197	r	(P-2330; A-7407)
728.142	am	(P-916; A-9619)	731.198	r	(P-2330; A-7407)
728.144	am	(P-916; A-9619)	731.199	r	(P-2330; A-7407)
728.Ap.D	am	(P-916; A-9619)	731.200	r	(P-2330; A-7407)
728.Ap.E	am	(P-916; A-9619)	731.202	r	(P-2330; A-7407)
728.Ap.G	am	(P-916; A-9619)	731.203	r	(P-2330; A-7407)
728.Ap.H	am	(P-916; A-9619)	731.204	r	(P-2330; A-7407)











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TITLE 56 (CONT'D)	350.640	n	(P-4626; C-6897)	350.100	n	(P-4645; C-6057)
2008. Ap.L	300.700	n	(P-4626; C-6897)	360.110	n	(P-8838)
2008. Ap.L	300.710	n	(P-4626; C-6897)	360.120	n	(P-8838)
2008. Ap.M	300.720	n	(P-4626; C-6897)	360.130	n	(P-8838)
2008. Ap.M	300.730	n	(P-4626; C-6897)	360.140	n	(P-8838)
	300.740	n	(P-4626; C-6897)	360.150	n	(P-8838)
	300.750	n	(P-4626; C-6897)	360.160	n	(P-8838)
	300.760	n	(P-4626; C-6897)	360.170	n	(P-8838)
	300.770	n	(P-4626; C-6897)	360.180	n	(P-8838)
2008. Ap.N	300.780	n	(P-4626; C-6897)	1700.10	n	(P-1469)
2008. Ap.N	300.790	n	(P-4626; C-6897)	1700.20	n	(P-1469)
2008. Ap.O	300.800	n	(P-4626; C-6897)	1700.30	n	(P-1469)
	300.810	n	(P-4626; C-6897)	1700.40	n	(P-1469)
	300.820	n	(P-4626; C-6897)	1700.50	n	(P-1469)
	300.830	n	(P-4626; C-6897)	1700.60	n	(P-1469)
	300.840	n	(P-4626; C-6897)	2610.130	am	(P-6905)
	300.850	n	(P-4626; C-6897)	2620.10	r	(P-12964/91; A-6175)
	300.860	n	(P-4626; C-6897)	2620.20	r	(P-12964/91; A-6175)
	300.870	n	(P-4626; C-6897)	2620.30	r	(P-12964/91; A-6175)
	300.880	n	(P-4626; C-6897)	2620.40	r	(P-12964/91; A-6175)
	300.890	n	(P-4626; C-6897)	2620.50	r	(P-12964/91; A-6175)
	300.900	n	(P-4626; C-6897)	2620.60	r	(P-12964/91; A-6175)
	300.910	n	(P-4626; C-6897)	2620.70	r	(P-12964/91; A-6175)
	300.920	n	(P-4626; C-6897)	2620.80	r	(P-12964/91; A-6175)
	300.930	n	(P-4626; C-6897)	2620.90	r	(P-12964/91; A-6175)
	300.940	n	(P-4626; C-6897)	2620.100	r	(P-12964/91; A-6175)
	300.950	n	(P-4626; C-6897)	2625.55	am	(P-5124)
	300.960	n	(P-4626; C-6897)	2630.82	am	(P-8081/91; A-1524)
	300.970	n	(P-4626; C-6897)	2630.83	am	(P-1154591; A-6796)
	300.980	n	(P-4626; C-6897)	2630.10	am	(P-9202)
	300.990	n	(P-4626; C-6897)	2630.20	am	(P-9202)
	300.1000	n	(P-4626; C-6897)	2630.30	am	(P-9202)
	300.1010	n	(P-4626; C-6897)	2630.40	am	(P-9202)
	300.1020	n	(P-4626; C-6897)	2630.310	n	(P-9202)
	350.10	am	(P-1; A-8518)	2650.320	n	(P-9202)
	350.280	am	(P-1) (P-3780; A-8518)	2650.330	n	(P-9202)
	350.290	n	(P-3260)	2650.340	n	(P-9202)
	350.300	n	(P-3260)	2650.350	n	(P-9202)
	350.310	n	(P-3260)	2720.1	am	(P-14343/91; A-2556)
	350.400	n	(P-4645; C-6057)	2720.2	n	(E-7506)
	350.410	n	(P-4645; C-6057)	2720.5	am	(P-14343/91; A-2556)
	350.420	n	(P-4645; C-6057)	2720.7	n	(P-14343/91; A-2556)
	350.430	n	(P-4645; C-6057)	2720.108	n	(P-14343/91; A-2556)
	350.440	n	(P-4645; C-6057)	2720.130	am	(P-14343/91; A-2556)
	350.450	n	(P-4645; C-6057)	2720.215	n	(P-14343/91; A-2556)
	350.460	n	(P-4645; C-6057)	2720.240	am	(P-14343/91; A-2556)
	350. Ap.A	n	(P-4645; C-6057)	2720.315	am	(P-14343/91; A-2556)
	350. Ap.B	n	(P-4645; C-6057)	2725.2	n	(E-7502)
	350. Ap.C	n	(P-4645; C-6057)			
	350. Ap.D	n	(P-4645; C-6057)			

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TITLE 50 (CONT'D)			
2008. Ap. L	n		(P-1997)
2008. Ap. L	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	120.120
2008. Ap. M	#	(P-8768)	120.130
2008. Ap. M	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	120.140
2008. Ap. M	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	120.150
2008. Ap. M	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	120.160
2008. Ap. M	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	120.170
2008. Ap. M	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	250.105
2008. Ap. M	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	250.110
2008. Ap. N	r	(P-8768)	250.115
2008. Ap. N	r	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	250.120
2008. Ap. N	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	250.125
2008. Ap. N	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	250.130
2008. Ap. N	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	250.135
2008. Ap. O	#	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	250.140
2008. Ap. O	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	250.145
2008. Ap. O	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	250.150
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	250.200
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	250.500
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	250.600
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	250.700
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	250.705
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	250.710
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	250.715
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	250.805
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	250.820
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	250.825
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	250.835
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	250.860
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.100
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.110
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.120
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.200
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.210
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.220
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.230
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.300
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.310
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.400
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.410
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.420
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.430
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.440
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.450
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.460
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.500
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.510
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.520
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.600
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.610
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.620
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.630
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.640
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.650
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.660
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.670
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.680
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.690
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.700
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.710
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.720
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.730
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.740
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.750
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.760
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.770
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.780
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.790
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.800
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.810
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.820
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.830
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.840
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.850
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.860
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.870
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.880
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.890
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	300.900
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2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	301.050
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	301.060
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2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	301.410
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	301.420
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	301.430
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	301.440
2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	301.450
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2008. Ap. P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	301.480
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1450.175	n	(P-14375/91; A-3204)	300,3060	(P-2034)
1470.95	n	(P-18348/91; A-7009)	300,3100	(P-2034)
			300,3310	(P-2034)
			300,3710	(P-2034)
	n	(P-3689)	300,Ap.B	(P-2034)
110.10	n	(P-3689)	330,120	(P-4338/91; A-651)



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TITLE 77 (CONT'D)	790.500	(P-4782) (E-4899)	790.1560	am	(P-4782) (E-4899)
790.500	790.500	(P-4782) (E-4899)	790.1570	am	(P-4782) (E-4899)
790.540	790.540	(P-4782) (E-4899)			(P-8329) (E-8571)
790.548	790.548	(P-4782) (E-4899)	790.1660	am	(P-4782) (E-4899)
790.580	790.580	(P-4782) (E-4899)	790.1685	am	(P-4782) (E-4899)
790.600	790.600	(P-15943/91; A-5941; C-7512) (P-4782)	790.1700	am	(P-4782) (E-4899)
		(E-4899) (P-8329)	790.1710	am	(P-4782) (E-4899)
		(E-8571)	790.1740	am	(P-4782) (E-4899)
		(P-4782) (E-4899)			(P-4782) (E-4899)
790.620	790.620	(P-4782) (E-4899)	790.1820	am	(P-4782) (E-4899)
790.660	790.660	(P-4782) (E-4899)	790.1830	am	(P-4782) (E-4899)
790.700	790.700	(P-4782) (E-4899)	790.1835	n	(P-8329) (E-8571)
790.706	790.706	(P-4782) (E-4899)	790.1860	am	(P-4782) (E-4899)
790.721	790.721	(P-4782) (E-4899)	790.1950	am	(P-15943/91; A-5941; C-7512) (P-4782)
790.740	790.740	(P-4782) (E-4899)			(E-4899)
		(P-8329) (E-8571)			(P-4782) (E-4899)
790.760	790.760	(P-4782) (E-4899)	790.1980	am	(P-4782) (E-4899)
790.780	790.780	(P-4782) (E-4899)	790.2020	am	(P-4782) (E-4899)
790.788	790.788	(P-4782) (E-4899)	790.2060	am	(P-8329) (E-8571)
		(P-4782) (E-4899)	790.2097	am	(P-4782) (E-4899)
		(P-8329) (E-8571)	790.2100	am	(P-4782) (E-4899)
			790.2140	am	(P-4782) (E-4899)
790.799	790.799	(P-15943/91; A-5941; C-7512) (P-4782)	790.2155	am	(P-4782) (E-4899)
		(E-8571)	790.2180	am	(P-4782) (E-4899)
		(P-4782) (E-4899)	790.2260	am	(P-4782) (E-4899)
		(P-4782) (E-4899)	790.2380	am	(P-4782) (E-4899)
790.820	790.820	(P-4782) (E-4899)	790.2390	am	(P-4782) (E-4899)
790.830	790.830	(P-4782) (E-4899)	790.2470	am	(P-4782) (E-4899)
790.860	790.860	(P-4782) (E-4899)	790.2485	am	(P-15943/91; A-5941; C-7512)
790.900	790.900	(P-4782) (E-4899)			(P-4782) (E-4899)
790.910	790.910	(P-4782) (E-4899)	790.2500	am	(P-4782) (E-4899)
790.920	790.920	(P-15943/91; A-5941; C-7512)	790.2510	am	(P-4782) (E-4899)
		(P-4782) (E-4899)	790.2540	am	(P-4782) (E-4899)
790.980	790.980	(P-4782) (E-4899)	790.2580	am	(P-15943/91; A-5941; C-7512) (P-4782)
790.1060	790.1060	(P-4782) (E-4899)			(E-4899)
790.1112	790.1112	(P-4782) (E-4899)	790.2603	am	(P-15943/91; A-5941; C-7512)
790.1120	790.1120	(P-4782) (E-4899)	790.2605	am	(P-4782) (E-4899)
790.1140	790.1140	(P-4782) (E-4899)	790.2613	am	(P-15943/91; A-5941; C-7512) (P-4782)
790.1300	790.1300	(P-4782) (E-4899)			(E-4899)
790.1345	790.1345	(P-4782) (E-4899)	790.2617	am	(P-4782) (E-4899)
790.1350	790.1350	(P-15943/91; A-5941; C-7512) (P-4782)	790.2618	am	(P-4782) (E-4899)
		(E-4899)	790.2620	am	(P-4782) (E-4899)
		(P-15943/91; A-5941; C-7512) (P-8329)	790.2661	am	(P-4782) (E-4899)
		(E-8571)	790.2780	am	(P-4782) (E-4899)
790.1388	790.1388	(P-4782) (E-4899)	790.2805	am	(P-15943/91; A-5941; C-7512) (P-8329)
		(P-15943/91; A-5941; C-7512) (P-8329)			(E-8571)
		(E-8571)			(P-4782) (E-4899)
790.1420	790.1420	(P-4782) (E-4899)			
790.1460	790.1460	(P-4782) (E-4899)			
790.1490	790.1490	(P-4782) (E-4899)			
790.1500	790.1500	(P-4782) (E-4899)			
790.1540	790.1540	(P-4782) (E-4899)			

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TITLE 77 (CONT'D)	693.45	(P-16874/91; A-5921)	n	(P-16874/91; A-5921)
693.100	693.100	(P-16874/91; A-5921)	am	(P-16874/91; A-5921)
694.220	694.220	(P-6972/91; A-5916)	am	(P-6972/91; A-5916)
750.5	750.5	(P-5836)	am	(P-5836)
750.10	750.10	(P-5836)	am	(P-5836)
750.100	750.100	(P-5836)	am	(P-5836)
750.110	750.110	(P-5836)	am	(P-5836)
750.1000	750.1000	(P-5836)	am	(P-5836)
750.2000	750.2000	(P-5836)	n	(P-5836)
750.2010	750.2010	(P-5836)	n	(P-5836)
750.2020	750.2020	(P-5836)	n	(P-5836)
750.2030	750.2030	(P-5836)	n	(P-5836)
750.2031	750.2031	(P-5836)	n	(P-5836)
750.2032	750.2032	(P-5836)	n	(P-5836)
750.2040	750.2040	(P-5836)	n	(P-5836)
750.2041	750.2041	(P-5836)	n	(P-5836)
750.2042	750.2042	(P-5836)	n	(P-5836)
750.2050	750.2050	(P-5836)	n	(P-5836)
750.2060	750.2060	(P-5836)	n	(P-5836)
750.2070	750.2070	(P-5836)	n	(P-5836)
750.2080	750.2080	(P-5836)	n	(P-5836)
750.3000	750.3000	(P-5836)	n	(P-5836)
750.3100	750.3100	(P-5836)	n	(P-5836)
750.3200	750.3200	(P-5836)	n	(P-5836)
760.15	760.15	(P-5861)	am	(P-5861)
760.20	760.20	(P-5861)	am	(P-5861)
760.100	760.100	(P-5861)	am	(P-5861)
760.110	760.110	(P-5861)	am	(P-5861)
760.900	760.900	(P-5861)	am	(P-5861)
760.2000	760.2000	(P-5861)	n	(P-5861)
760.2010	760.2010	(P-5861)	n	(P-5861)
760.2020	760.2020	(P-5861)	n	(P-5861)
760.2030	760.2030	(P-5861)	n	(P-5861)
760.2031	760.2031	(P-5861)	n	(P-5861)
760.2032	760.2032	(P-5861)	n	(P-5861)
760.2040	760.2040	(P-5861)	n	(P-5861)
760.2041	760.2041	(P-5861)	n	(P-5861)
760.2042	760.2042	(P-5861)	n	(P-5861)
760.2050	760.2050	(P-5861)	n	(P-5861)
760.2060	760.2060	(P-5861)	n	(P-5861)
760.2070	760.2070	(P-5861)	n	(P-5861)
760.2080	760.2080	(P-5861)	n	(P-5861)
760.3000	760.3000	(P-5861)	n	(P-5861)
760.3100	760.3100	(P-5861)	n	(P-5861)
760.3200	760.3200	(P-5861)	n	(P-5861)
770.10	770.10	(P-5885)	r	(P-5885)
770.20	770.20	(P-5885)	r	(P-5885)
770.30	770.30	(P-5885)	r	(P-5885)
790.40	790.40	(P-15943/91; A-5941; C-7512)	am	(P-15943/91; A-5941; C-7512)
790.480	790.480	(P-4782) (E-4899)	am	(P-4782) (E-4899)



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790.2902	am	(P-4782) (E-4899)
<u>TITLE 77 (CONT'D)</u>		
790.2904	am	(P-4782) (E-4899)
790.2980	am	(P-4782) (E-4899)
790.3020	am	(P-4782) (E-4899)
790.3021	am	(P-4782) (E-4899)
790.3027	am	(P-15943/91; A-5941)
790.3029	am	(P-4782) (E-4899)
790.3049	am	(P-4782) (E-4899)
790.3054	am	(P-4782) (E-4899)
790.3085	am	(P-4782) (E-4899)
790.3100	am	(P-4782) (E-4899)
790.3260	am	(P-4782) (E-4899)
790.3300	am	(P-4782) (E-4899)
790.3308	am	(P-4782) (E-4899)
790.3315	am	(P-4782) (E-4899)
790.3335	am	(P-4782) (E-4899)
790.3340	am	(P-4782) (E-4899)
790.3420	am	(P-4782) (E-4899)
790.3437	am	(P-4782) (E-4899)
790.3472	am	(P-8329) (E-8571)
790.3480	n	(P-4782) (E-4899)
790.3492	n	(P-4782) (E-4899)
790.3495	n	(P-4782) (E-4899)
790.3540	am	(P-4782) (E-4899)
790.3620	am	(P-4782) (E-4899)
790.3700	am	(P-4782) (E-4899)
790.3742	am	(P-4782) (E-4899)
790.3780	am	(P-4782) (E-4899)
790.3860	am	(P-4782) (E-4899)
790.3875	n	(P-4782) (E-4899)
790.3907	am	(P-4782) (E-4899)
790.3910	am	(P-4782) (E-4899)
790.3940	am	(P-4782) (E-4899)
790.3945	am	(P-4782) (E-4899)
790.3980	am	(P-8329) (E-8571)
790.3996	am	(P-4782) (E-4899)
790.4012	am	(P-4782) (E-4899)
790.4040	am	(P-4782) (E-4899)
790.4060	am	(P-4782) (E-4899)
790.4100	am	(P-4782) (E-4899)
790.4140	am	(P-4782) (E-4899)
790.4173	am	(P-8329) (E-8571)
790.4180	am	(P-4782) (E-4899)
790.4220	am	(P-4782) (E-4899)
790.4260	am	(P-4782) (E-4899)
790.4300	am	(P-4782) (E-4899)
790.4385	am	(P-4782) (E-4899)
790.4386	am	(P-4782) (E-4899)
790.4396	am	(P-4782) (E-4899)
790.4398	am	(P-4782) (E-4899)
790.4420	am	(P-4782) (E-4899)
790.4580	am	(P-4782) (E-4899)
790.4620	am	(P-4782) (E-4899)
790.4660	am	(P-4782) (E-4899)
790.4670	am	(P-4782) (E-4899)
790.4680	am	(P-4782) (E-4899)
790.4700	am	(P-4782) (E-4899)
790.4720	am	(P-4782) (E-4899)
790.4740	am	(P-4782) (E-4899)
790.4780	am	(P-4782) (E-4899)
790.4840	am	(P-4782) (E-4899)
790.4860	am	(P-4782) (E-4899)
790.4900	am	(P-4782) (E-4899)
790.4965	am	(P-4782) (E-4899)
790.4980	am	(P-4782) (E-4899)
790.5060	am	(P-4782) (E-4899)
790.5140	am	(P-4782) (E-4899)
790.5180	am	(P-4782) (E-4899)
790.5220	am	(P-4782) (E-4899)
790.5300	am	(P-4782) (E-4899)
790.5312	am	(P-4782) (E-4899)
790.5320	am	(P-15943/91; A-5941; C-7512)
790.5380	am	(P-4782) (E-4899)
790.5420	am	(P-4782) (E-4899)
790.5483	am	(P-4782) (E-4899)
790.5500	am	(P-4782) (E-4899)
790.5520	am	(P-4782) (E-4899)
790.5540	am	(P-4782) (E-4899)
790.5544	am	(P-4782) (E-4899)
790.5620	am	(P-4782) (E-4899)
790.5640	am	(P-15943/91; A-5941)
790.5700	am	(P-4782) (E-4899)
790.5740	am	(P-4782) (E-4899)

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790.5788	n	(P-4782) (E-4899)
790.5792	am	(P-8329) (E-8571)
790.5802	am	(P-4782) (E-4899)
790.5807	am	(P-4782) (E-4899)
790.5820	am	(P-4782) (E-4899)
790.5830	am	(P-4782) (E-4899)
790.5872	am	(P-4782) (E-4899)
790.5900	am	(P-4782) (E-4899)
790.5940	am	(P-4782) (E-4899)
790.5980	am	(P-4782) (E-4899)
790.6020	r	(P-4782) (E-4899)
790.6140	am	(P-4782) (E-4899)
790.6180	am	(P-8329) (E-8571)
790.6260	am	(P-4782) (E-4899)
790.6275	am	(P-4782) (E-4899)
790.6277	am	(P-4782) (E-4899)
790.6280	r	(P-8329) (E-8571)
790.6300	am	(P-4782) (E-4899)
790.6340	am	(P-4782) (E-4899)
790.6370	am	(P-4782) (E-4899)
790.6375	am	(P-4782) (E-4899)
790.6420	am	(P-4782) (E-4899)
790.6430	am	(P-8329) (E-8571)
790.6452	am	(P-4782) (E-4899)
790.6456	am	(P-4782) (E-4899)
790.6460	am	(P-4782) (E-4899)
790.6480	am	(P-4782) (E-4899)
790.6500	am	(P-4782) (E-4899)
790.6540	am	(P-4782) (E-4899)
790.6570	r	(P-4782) (E-4899)
790.6580	am	(P-4782) (E-4899)
790.6610	am	(P-8329) (E-8571)
790.6670	am	(P-4782) (E-4899)
790.6780	am	(P-4782) (E-4899)
790.6800	am	(P-8329) (E-8571)
790.6820	am	(P-4782) (E-4899)
790.6860	am	(P-4782) (E-4899)
790.6875	am	(P-4782) (E-4899)
790.6885	am	(P-4782) (E-4899)
790.6895	am	(P-4782) (E-4899)
790.6940	am	(P-4782) (E-4899)
790.6960	am	(P-4782) (E-4899)
790.6980	am	(P-4782) (E-4899)
790.7100	am	(P-4782) (E-4899)
790.7120	am	(P-4782) (E-4899)
790.7130	am	(P-8329) (E-8571)
790.7140	am	(P-4782) (E-4899)
790.7180	am	(P-4782) (E-4899)
790.7229	am	(P-4782) (E-4899)
790.7260	am	(P-4782) (E-4899)
790.7263	n	(P-4782) (E-4899)
790.7265	am	(P-4782) (E-4899)
790.7280	am	(P-8329) (E-8571)
790.7291	am	(P-4782) (E-4899)
790.7296	am	(P-4782) (E-4899)
790.7380	am	(P-4782) (E-4899)
790.7400	am	(P-4782) (E-4899)
790.7420	am	(P-8329) (E-8571)
790.7500	am	(P-4782) (E-4899)
790.7510	am	(P-4782) (E-4899)
790.7540	am	(P-8329) (E-8571)
790.7580	am	(P-4782) (E-4899)
790.7700	am	(P-4782) (E-4899)
790.7740	am	(P-8329) (E-8571)
790.7820	am	(P-4782) (E-4899)
790.7828	am	(P-4782) (E-4899)
790.7834	am	(P-15943/91; A-5941; C-7512)
790.7860	am	(P-4782) (E-4899)
790.7940	am	(P-4782) (E-4899)
790.7980	am	(P-4782) (E-4899)
790.8015	am	(P-4782) (E-4899)
790.8020	am	(P-4782) (E-4899)
790.8030	am	(P-8329) (E-8571)
790.8106	am	(P-4782) (E-4899)
790.8136	am	(P-4782) (E-4899)
790.8248	am	(P-4782) (E-4899)
790.8300	am	(P-4782) (E-4899)
790.8420	am	(P-4782) (E-4899)
790.8540	am	(P-4782) (E-4899)
790.8580	am	(P-4782) (E-4899)
790.8620	am	(P-15943/91; A-5941; C-7512)
790.8700	am	(P-4782) (E-4899)
790.8710	am	(P-4782) (E-4899)
790.8724	am	(P-4782) (E-4899)
790.8740	am	(P-4782) (E-4899)
790.8780	am	(P-4782) (E-4899)
790.8820	am	(P-4782) (E-4899)



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TITLE 77 (CONT'D)			2030.310	(P-5187)	(P-9153/91; A-2530)
1230.110	r		2030.310	n	(P-9083/91; A-2457)
1230.120	r		2030.320	r	(P-9153/91; A-2530)
1230.210	r		2030.320	n	(P-9083/91; A-2457)
1230.220	r		2030.330	r	(P-9153/91; A-2530)
1230.230	r		2030.330	n	(P-9083/91; A-2457)
1230.240	r		2030.340	n	(P-9153/91; A-2530)
1230.250	r		2030.340	n	(P-9083/91; A-2457)
1230.260	r		2030.350	r	(P-9153/91; A-2530)
1230.310	r		2030.350	n	(P-9083/91; A-2457)
1230.320	r		2030.360	n	(P-9083/91; A-2457)
1230.410	r		2030.410	r	(P-9153/91; A-2530)
1230.420	r		2030.410	n	(P-9083/91; A-2457)
1230. Tb. A	r		2030.420	n	(P-9153/91; A-2530)
1230. Tb. B	r		2030.420	n	(P-9083/91; A-2457)
1240.10	r		2030.430	r	(P-9153/91; A-2530)
1240.20	r		2030.430	n	(P-9083/91; A-2457)
1240.30	r		2030.440	r	(P-9153/91; A-2530)
1240.40	r		2030.440	n	(P-9083/91; A-2457)
1240.50	r		2030.450	n	(P-9153/91; A-2530)
1240.60	r		2030.450	n	(P-9083/91; A-2457)
1240.70	r		2030.510	r	(P-9153/91; A-2530)
1240. Ap. A	r		2030.510	n	(P-9083/91; A-2457)
2030.10	n		2030.520	n	(P-9153/91; A-2530)
2030.10	r		2030.520	n	(P-9083/91; A-2457)
2030.20	n		2030.530	n	(P-9083/91; A-2457)
2030.20	r		2030.540	n	(P-9153/91; A-2530)
2030.30	n		2030.550	n	(P-9083/91; A-2457)
2030.30	r		2030.610	r	(P-9153/91; A-2530)
2030.40	n		2030.610	n	(P-9083/91; A-2457)
2030.40	r		2030.620	n	(P-9153/91; A-2530)
2030.50	r		2030.620	n	(P-9083/91; A-2457)
2030.100	n		2030.630	r	(P-9153/91; A-2530)
2030.105	n		2030.640	r	(P-9153/91; A-2530)
2030.107	n		2030.710	r	(P-9153/91; A-2530)
2030.110	n		2030.710	n	(P-9083/91; A-2457)
2030.110	n		2030.720	n	(P-9153/91; A-2530)
2030.115	n		2030.720	n	(P-9083/91; A-2457)
2030.120	r		2030.730	r	(P-9153/91; A-2530)
2030.120	n		2030.730	n	(P-9083/91; A-2457)
2030.130	n		2030.740	n	(P-9153/91; A-2530)
2030.130	n		2030.740	n	(P-9083/91; A-2457)
2030.140	n		2030.750	r	(P-9153/91; A-2530)
2030.150	n		2030.750	n	(P-9083/91; A-2457)
2030.160	n		2030.760	r	(P-9153/91; A-2530)
2030.210	r		2030.760	n	(P-9083/91; A-2457)
2030.210	n		2030.810	n	(P-9153/91; A-2530)
2030.220	r		2030.810	n	(P-9083/91; A-2457)
2030.220	r		2030.820	n	(P-9153/91; A-2530)
2030.230	r		2030.820	n	(P-9083/91; A-2457)
2030.230	n		2030.830	n	(P-9153/91; A-2530)
2030.230	n		2030.830	n	(P-9083/91; A-2457)

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790.8900	am	(P-4782) (E-4899)	795.180	n	(P-8136)
790.8940	am	(P-4782) (E-4899)	795.190	n	(P-8136)
790.8980	am	(P-4782) (E-4899)	795.200	n	(P-8136)
790.9020	am	(P-4782) (E-4899)	795.210	n	(P-8136)
790.9035	am	(P-4782) (E-4899)	795.220	n	(P-8136)
790.9045	am	(P-4782) (E-4899)	830.10	am	(P-2092)
			830.880	am	(P-2092)
790.9048	am	(P-4782) (E-4899)	830.885	am	(P-2092)
		(P-15943/91; A-5941;	830.890	am	(P-2092)
		C-7512)	830.900	am	(P-2092)
790.9050	am	(P-15943/91; A-5941;	840.20	am	(P-4329)
		C-7512) (P-8329)	840.115	am	(P-4329)
		(E-8571)	840.210	am	(P-4329)
790.9056	am	(P-4782) (E-4899)	840.215	am	(P-4329)
790.9060	am	(P-4782) (E-4899)	840.305	am	(P-4329)
790.9070	n	(P-8329) (E-8571)	840.310	am	(P-4329)
790.9084	am	(P-4782) (E-4899)	840. Ap.B	am	(P-4329)
790.9100	am	(P-4782) (E-4899)	.Ex.A	am	(P-4329)
		(P-15943/91; A-5941;	.Il. A	r	(P-4329)
		C-7512)	.Ex.B	n	(P-4329)
790.9140	am	(P-4782) (E-4899)	.Il. B	r	(P-4329)
790.9180	am	(P-4782) (E-4899)	840. Ap.C	am	(P-4329)
790.9220	am	(P-4782) (E-4899)	.Ex.B	am	(P-4329)
790.9260	am	(P-4782) (E-4899)	905.15	am	(P-8128)
790.9300	am	(P-4782) (E-4899)	905.100	am	(P-8128)
790.9340	am	(P-4782) (E-4899)	1120.10	n	(P-5205)
790.9380	am	(P-4782) (E-4899)	1120.20	n	(P-5205)
790.9420	am	(P-4782) (E-4899)	1120.110	n	(P-5205)
790.9460	am	(P-4782) (E-4899)	1120.120	n	(P-5205)
790.9500	am	(P-4782) (E-4899)	1120.130	n	(P-5205)
790.9520	am	(P-4782) (E-4899)	1120.210	n	(P-5205)
790.9530	am	(P-4782) (E-4899)	1120.310	n	(P-5205)
790.9580	am	(P-4782) (E-4899)	1120. Ap.A	n	(P-5205)
795.10	n	(P-8136)	1130.140	am	(P-4755)
795.20	n	(P-8136)	1130.220	am	(P-4755)
795.30	n	(P-8136)	1130.410	am	(P-4755)
795.40	n	(P-8136)	1130.510	am	(P-4755)
795.50	n	(P-8136)	1130.620	am	(P-4755)
795.60	n	(P-8136)	1130.630	am	(P-4755)
795.70	n	(P-8136)	1130.640	am	(P-4755)
795.80	n	(P-8136)	1130.710	am	(P-4755)
795.90	n	(P-8136)	1130.720	am	(P-4755)
795.100	n	(P-8136)	1130.730	am	(P-4755)
795.110	n	(P-8136)	1130.740	am	(P-4755)
795.120	n	(P-8136)	1130.760	am	(P-4755)
795.130	n	(P-8136)	1130.770	am	(P-4755)
795.140	n	(P-8136)	1130.780	am	(P-4755)
795.150	n	(P-8136)	1190.30	am	(P-3063)
795.160	n	(P-8136)	1230.10	r	(P-5187)
795.170	n	(P-8136)	1230.20	r	(P-5187)
			1230.30	r	(P-5187)



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2030.840	n	(P-9083/91; A-2457)	2030.1265	n	(P-9083/91; A-2457)	(P-9083/91; A-2457)
2030.850	n	(P-9083/91; A-2457)	2030.1270	r	(P-9153/91; A-2530)	(P-9153/91; A-2530)
2030.910	r	(P-9153/91; A-2530)	2030.1310	r	(P-9153/91; A-2530)	(P-9153/91; A-2530)
2030.910	n	(P-9083/91; A-2457)	2030.1310	n	(P-9083/91; A-2457)	(P-9083/91; A-2457)
2030.920	n	(P-9153/91; A-2530)	2030.1320	r	(P-9153/91; A-2530)	(P-9153/91; A-2530)
2030.930	r	(P-9153/91; A-2530)	2030.1320	n	(P-9083/91; A-2457)	(P-9083/91; A-2457)
2030.940	r	(P-9153/91; A-2530)	2030.1330	r	(P-9153/91; A-2530)	(P-9153/91; A-2530)
2030.950	r	(P-9153/91; A-2530)	2030.1340	r	(P-9153/91; A-2530)	(P-9153/91; A-2530)
2030.960	r	(P-9153/91; A-2530)	2030.1350	r	(P-9153/91; A-2530)	(P-9153/91; A-2530)
2030.970	r	(P-9153/91; A-2530)	2031.10	r	(P-9149/91; A-2455)	(P-9149/91; A-2455)
2030.980	r	(P-9153/91; A-2530)	2032.10	r	(P-9218/91; A-2533)	(P-9218/91; A-2533)
2030.1010	r	(P-9153/91; A-2530)	2032.15	r	(P-9218/91; A-2533)	(P-9218/91; A-2533)
2030.1010	n	(P-9083/91; A-2457)	2032.20	r	(P-9218/91; A-2533)	(P-9218/91; A-2533)
2030.1020	n	(P-9153/91; A-2530)	2032.25	r	(P-9218/91; A-2533)	(P-9218/91; A-2533)
2030.1020	n	(P-9083/91; A-2457)	2032.30	r	(P-9218/91; A-2533)	(P-9218/91; A-2533)
2030.1030	r	(P-9153/91; A-2530)	2032.35	r	(P-9218/91; A-2533)	(P-9218/91; A-2533)
2030.1030	n	(P-9153/91; A-2457)	2032.40	r	(P-9218/91; A-2533)	(P-9218/91; A-2533)
2030.1030	n	(P-9083/91; A-2457)	2032.45	r	(P-9218/91; A-2533)	(P-9218/91; A-2533)
2030.1040	n	(P-9153/91; A-2530)	2032.50	r	(P-9218/91; A-2533)	(P-9218/91; A-2533)
2030.1040	n	(P-9083/91; A-2457)	2032.55	r	(P-9218/91; A-2533)	(P-9218/91; A-2533)
2030.1050	n	(P-9083/91; A-2457)	2032.60	r	(P-9218/91; A-2533)	(P-9218/91; A-2533)
2030.1060	n	(P-9083/91; A-2457)	2056.1	am	(P-4567)	(P-4567)
2030.1070	n	(P-9083/91; A-2457)	2056.5	am	(P-4567)	(P-4567)
2030.1080	n	(P-9083/91; A-2457)	2056.15	am	(P-4567)	(P-4567)
2030.1090	n	(P-9083/91; A-2457)	2056.20	am	(P-4567)	(P-4567)
2030.1100	n	(P-9153/91; A-2530)	2056.25	am	(P-4567)	(P-4567)
2030.1110	n	(P-9083/91; A-2457)	2056.30	am	(P-4567)	(P-4567)
2030.1120	n	(P-9153/91; A-2530)	2056.35	am	(P-4567)	(P-4567)
2030.1120	n	(P-9083/91; A-2457)	2056.60	am	(P-4567)	(P-4567)
2030.1130	r	(P-9153/91; A-2530)	2056.61	am	(P-4567)	(P-4567)
2030.1130	n	(P-9083/91; A-2457)	2056.65	#	(P-4567)	(P-4567)
2030.1140	r	(P-9153/91; A-2530)	2056.70	#	(P-4567)	(P-4567)
2030.1140	r	(P-9083/91; A-2457)	2056.75	am	(P-4567)	(P-4567)
2030.1150	n	(P-9083/91; A-2457)	2056.210	am	(P-4567)	(P-4567)
2030.1160	n	(P-9083/91; A-2457)	2056.215	am	(P-4567)	(P-4567)
2030.1205	n	(P-9083/91; A-2457)	2056.301	#	(P-4567)	(P-4567)
2030.1210	r	(P-9153/91; A-2530)	2056.301	am	(P-4567)	(P-4567)
2030.1210	n	(P-9083/91; A-2457)	2056.303	#	(P-4567)	(P-4567)
2030.1215	n	(P-9083/91; A-2457)	2056.305	am	(P-4567)	(P-4567)
2030.1220	n	(P-9153/91; A-2530)	2056.305	am	(P-4567)	(P-4567)
2030.1220	n	(P-9083/91; A-2457)	2056.310	am	(P-4567)	(P-4567)
2030.1225	r	(P-9153/91; A-2530)	2056.315	am	(P-4567)	(P-4567)
2030.1225	n	(P-9083/91; A-2457)	2056.320	am	(P-4567)	(P-4567)
2030.1230	n	(P-9083/91; A-2457)	2056.330	am	(P-4567)	(P-4567)
2030.1240	r	(P-9153/91; A-2530)	2056.405	am	(P-4567)	(P-4567)
2030.1245	r	(P-9083/91; A-2457)	2056.410	am	(P-4567)	(P-4567)
2030.1250	r	(P-9153/91; A-2530)	2056.415	am	(P-4567)	(P-4567)
2030.1250	n	(P-9083/91; A-2457)	2056.420	am	(P-4567)	(P-4567)
2030.1255	n	(P-9083/91; A-2457)	2056.500	am	(P-4567)	(P-4567)
2030.1260	r	(P-9153/91; A-2530)	2056.505	am	(P-4567)	(P-4567)

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r

(P-4567)

(P-6521) (E-6888)

2056.525

am

(P-4567)

310.490

am

(E-8239)

2056.600

am

(P-4567)

(P-342; A-8382)

2056.601

n

(P-4567)

(E-711)

2056.603

n

(P-4567)

310. Ap. A

am

(P-342; A-8382)

2056.605

am

(P-4567)

(PP-5068; RC-6899)

2056.607

n

(P-4567)

.Th. A

am

(PP-7056)

2056.610

am

(P-4567)

.Th. B

am

(PP-7056)

2056.615

r

(P-4567)

.Th. C

am

(P-342; A-8382)

2056.620

n

(P-4567)

.Th. D

am

(P-342; A-8382)

2056.625

n

(P-4567)

.Th. E

am

(P-342; A-8382)

2056.630

n

(P-4567)

.Th. F

am

(P-342; A-8382)

2056.635

n

(P-4567)

.Th. G

am

(P-342; A-8382)

2056.640

n

(P-4567)

.Th. H

am

(P-342; A-8382)

2056.645

n

(P-4567)

.Th. I

am

(P-342; A-8382)

2056.650

n

(P-4567)

.Th. J

am

(P-342; A-8382)

2056.655

n

(P-4567)

.Th. K

am

(P-342; A-8382)

2056.660

n

(P-4567)

.Th. O

am

(P-342; A-8382)

2056.705

am

(P-4567)

.Th. P

am

(P-342; A-8382)

2090.20

am

(P-5104)

.Th. Q

am

(P-342; A-8382)

2090.40

am

(P-5104)

.Th. R

am

(P-342; A-8382)

2090.70

am

(P-5104)

.Th. S

am

(P-342; A-8382)

2090.70

am

(P-5104)

.Th. T

am

(P-342; A-8382)

2090.70

am

(P-5104)

.Th. V

am

(PP-5068; RC-6899)

2090.100

am

(P-5104)

.Th. W

am

(P-342; A-8382)

2510.50

am

(P-17444/91; A-8980)

.Th. X

am

(P-342; A-8382)

2510.60

am

(P-17444/91; A-8980)

.Th. Y

am

(P-342; A-8382)

2510.70

am

(P-17444/91; A-8980)

.Th. Z

am

(P-342; A-8382)

Ap. B

am

(P-17444/91; A-8980)

310. Ap. B

am

(P-12051/91; A-3450)

Ap. C

am

(P-17444/91; A-8980)

1120.80

n

(P-5554) (E-6052)

1540.80

am

(P-7325)

1540.90

am

(P-7325)

1540.100

am

(P-7325)

1540.130

am

(P-7325)

2650.10

am

(P-3235)

2650.25

am

(P-3235)

2800.410

am

(P-7079)

2800.650

n

(P-15199/91; A-4831)

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150.410

am

(P-4360)

150.420

am

(P-4360)

150.430

am

(P-4360)

302.80

am

(P-336; A-8375)

302.822

am

(P-8675)

303.102

am

(P-327; A-8368)

303.115

n

(P-327; A-8368)

303.125

am

(P-327; A-8368)

303.175

n

(P-327; A-8368)

303.290

am

(P-327; A-8368)

303.385

n

(P-327; A-8368)

304.51

n

(P-334)

310.100

am

(P-342; A-8382)

(E-711)

310.110

am

(P-12051/91; A-3450)

310.130

am

(P-12051/91; A-3450)

310.230

am

(P-342; A-8382)

310.280

am

(P-12051/91; A-3450)

310.290

am

(P-12051/91; A-3450)

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r

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110.30

r

(P-18018/91; A-7654)

200.715

n

(P-1936; W-7737)

275.20

am

(P-8269)

305.20

am

(P-16538/91; A-6180)

410.360

r

(P-11899/91; A-2544)

440.200

am

(P-6533)

445.40

am

(P-11025/91; A-2535)

445.50

am

(P-11025/91; A-2535)

445.70

am

(P-11025/91; A-2535)

500.335

r

(P-11905/91; A-2550)







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120.271	r	(P-12137/91; A-139)	140.442	am	(P-12171/91; A-4006)
120.272	r	(P-12137/91; A-139)	140.449	am	(P-12171/91; A-4006)
120.273	r	(P-12137/91; A-139)	140.469	am	(P-13685/91; A-3552)
120.275	r	(P-12137/91; A-139)	140.512	am	(P-13274/91; A-6849)
120.276	r	(P-12137/91; A-139)	140.513	r	(P-13274/91; A-6849)
120.280	r	(P-12137/91; A-139)	140.514	am	(P-11555/91; A-4006)
120.281	r	(P-12137/91; A-139)	140.526	r	(P-472) (P-9393)
120.282	r	(P-12137/91; A-139)	140.527	r	(P-472) (P-9393)
120.283	r	(P-12137/91; A-139)	140.528	r	(P-472) (P-9393)
120.284	r	(P-12137/91; A-139)	140.529	r	(P-472) (P-9393)
120.285	r	(P-12137/91; A-139)	140.530	am	(P-15933/91; A-6408)
120.290	r	(P-12137/91; A-139)	140.538	am	(P-15933/91; A-6408)
120.295	r	(P-12137/91; A-139)	140.539	am	(P-15933/91; A-6408)
120.319	am	(P-12137/91; A-139)	140.543	am	(P-3045)
120.320	am	(P-12137/91; A-139)	140.552	am	(P-15933/91; A-6408)
120.321	am	(P-12137/91; A-139)	140.560	am	(P-5585/91; A-7017)
120.322	am	(P-12137/91; A-139)	140.561	am	(P-7482/91; A-3552)
120.323	am	(P-12137/91; A-139)	140.562	am	(P-15933/91; A-6408)
120.384	am	(P-7761)	140.565	n	(P-1492)
121.25	am	(P-8898)	140.566	am	(P-4708)
121.34	am	(P-8039)	140.569	am	(P-15933/91; A-6408)
121.58	am	(E-757) (P-6708)	140.579	am	(P-3409)
121.63	am	(P-18086; A-10011)	140.583	am	(P-15933/91; A-6408)
121.72	am	(P-2420; A-10011)	140.600	n	(P-472)
121.73	am	(P-2420; A-10011)	140.602	n	(P-472)
121.91	am	(P-14186/91; A-10011)	140.604	n	(P-472)
121.94	am	(P-14999/91; A-10011)	140.606	n	(P-472)
130.200	am	(P-6931)	140.608	n	(P-472)
140.2	am	(P-17171/91; A-174)	140.610	n	(P-472)
	am	(P-6936)	140.612	n	(P-472)
140.5	am	(P-17171/91; A-174)	140.614	n	(P-472)
140.11	am	(P-6949/91; A-3552)	140.646	am	(P-6949/91; A-1877)
140.13	am	(P-4708)	140.700	am	(P-7576)
140.14	am	(P-7775)	140.835	r	(P-15933/91; A-6408)
140.15	am	(P-4708)	141.10	r	(P-12132/91; A-7922)
140.16	am	(P-4708) (P-8047)	141.100	r	(P-12132/91; A-7922)
140.17	am	(P-4708)	141.200	r	(P-12132/91; A-7922)
140.19	am	(P-4708)	141.240	r	(P-12132/91; A-7922)
140.27	am	(P-65; A-10050) (E-300)	141.280	r	(P-12132/91; A-7922)
140.31	n	(P-4708)	141.320	r	(P-12132/91; A-7922)
140.32	n	(P-4708)	141.360	r	(P-12132/91; A-7922)
140.33	n	(P-4708)	141.400	r	(P-12132/91; A-7922)
140.94	n	(P-15933/91; A-6408)	141.440	r	(P-12132/91; A-7922)
140.95	n	(P-15933/91; A-6408)	141.480	r	(P-12132/91; A-7922)
140.420	am	(P-10145)	141.520	r	(P-12132/91; A-7922)
140.413	am	(P-7576) (P-10145)	141.560	r	(P-12132/91; A-7922)
140.414	am	(P-6719)	141.600	r	(P-12132/91; A-7922)
140.440	am	(P-12171/91; A-4006)	141.640	r	(P-12132/91; A-7922)

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141.680	r	(P-12132/91; A-7922)	141.2640	r	(P-12132/91; A-7922)
141.720	r	(P-12132/91; A-7922)	141.2680	r	(P-12132/91; A-7922)
141.760	r	(P-12132/91; A-7922)	141.2720	r	(P-12132/91; A-7922)
141.800	r	(P-12132/91; A-7922)	141.2800	r	(P-12132/91; A-7922)
141.840	r	(P-12132/91; A-7922)	141.2840	r	(P-12132/91; A-7922)
141.880	r	(P-12132/91; A-7922)	141.2880	r	(P-12132/91; A-7922)
141.920	r	(P-12132/91; A-7922)	141.2920	r	(P-12132/91; A-7922)
141.960	r	(P-12132/91; A-7922)	141.2960	r	(P-12132/91; A-7922)
141.1000	r	(P-12132/91; A-7922)	141.3000	r	(P-12132/91; A-7922)
141.1040	r	(P-12132/91; A-7922)	141.3040	r	(P-12132/91; A-7922)
141.1080	r	(P-12132/91; A-7922)	141.3080	r	(P-12132/91; A-7922)
141.1120	r	(P-12132/91; A-7922)	141.3120	r	(P-12132/91; A-7922)
141.1125	r	(P-12132/91; A-7922)	141.3160	r	(P-12132/91; A-7922)
141.1160	r	(P-12132/91; A-7922)	141.3200	r	(P-12132/91; A-7922)
141.1200	r	(P-12132/91; A-7922)	141.3240	r	(P-12132/91; A-7922)
141.1240	r	(P-12132/91; A-7922)	141.3280	r	(P-12132/91; A-7922)
141.1280	r	(P-12132/91; A-7922)	141.3320	r	(P-12132/91; A-7922)
141.1320	r	(P-12132/91; A-7922)	141.3360	r	(P-12132/91; A-7922)
141.1360	r	(P-12132/91; A-7922)	141.3400	r	(P-12132/91; A-7922)
141.1400	r	(P-12132/91; A-7922)	141.3440	r	(P-12132/91; A-7922)
141.1480	r	(P-12132/91; A-7922)	141.3480	r	(P-12132/91; A-7922)
141.1500	r	(P-12132/91; A-7922)	141.3520	r	(P-12132/91; A-7922)
141.1520	r	(P-12132/91; A-7922)	141.3560	r	(P-12132/91; A-7922)
141.1600	r	(P-12132/91; A-7922)	141.3600	r	(P-12132/91; A-7922)
141.1640	r	(P-12132/91; A-7922)	141.3640	r	(P-12132/91; A-7922)
141.1680	r	(P-12132/91; A-7922)	141.3680	r	(P-12132/91; A-7922)
141.1720	r	(P-12132/91; A-7922)	141.3720	r	(P-12132/91; A-7922)
141.1760	r	(P-12132/91; A-7922)	141.3760	r	(P-12132/91; A-7922)
141.1800	r	(P-12132/91; A-7922)	141.3800	r	(P-12132/91; A-7922)
141.1840	r	(P-12132/91; A-7922)	141.3840	r	(P-12132/91; A-7922)
141.1880	r	(P-12132/91; A-7922)	141.3880	r	(P-12132/91; A-7922)
141.1920	r	(P-12132/91; A-7922)	141.3920	r	(P-12132/91; A-7922)
141.1960	r	(P-12132/91; A-7922)	141.3960	r	(P-12132/91; A-7922)
141.2000	r	(P-12132/91; A-7922)	141.4000	r	(P-12132/91; A-7922)
141.2040	r	(P-12132/91; A-7922)	141.4040	r	(P-12132/91; A-7922)
141.2080	r	(P-12132/91; A-7922)	141.4080	r	(P-12132/91; A-7922)
141.2120	r	(P-12132/91; A-7922)	141.4120	r	(P-12132/91; A-7922)
141.2160	r	(P-12132/91; A-7922)	141.4160	r	(P-12132/91; A-7922)
141.2200	r	(P-12132/91; A-7922)	141.4200	r	(P-12132/91; A-7922)
141.2240	r	(P-12132/91; A-7922)	141.4230	r	(P-12132/91; A-7922)
141.2280	r	(P-12132/91; A-7922)	141.4240	r	(P-12132/91; A-7922)
141.2320	r	(P-12132/91; A-7922)	141.4280	r	(P-12132/91; A-7922)
141.2360	r	(P-12132/91; A-7922)	141.4320	r	(P-12132/91; A-7922)
141.2400	r	(P-12132/91; A-7922)	141.4360	r	(P-12132/91; A-7922)
141.2440	r	(P-12132/91; A-7922)	141.4400	r	(P-12132/91; A-7922)
141.2480	r	(P-12132/91; A-7922)	141.4480	r	(P-12132/91; A-7922)
141.2520	r	(P-12132/91; A-7922)	141.4520	r	(P-12132/91; A-7922)
141.2560	r	(P-12132/91; A-7922)	141.4560	r	(P-12132/91; A-7922)
141.2600	r	(P-12132/91; A-7922)	141.4600	r	(P-12132/91; A-7922)







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336.80	n	(P-7963)	406.10	am	(P-14734/91; A-7602)
336.90	n	(P-7963)	406.11	am	(P-14734/91; A-7602)
336.100	n	(P-7963)	406.12	am	(P-14734/91; A-7602)
336.110	n	(P-7963)	406.13	am	(P-14734/91; A-7602)
336.120	n	(P-7963)	406.14	am	(P-14734/91; A-7602)
336.130	n	(P-7963)	406.22	am	(P-14734/91; A-7602)
336.140	n	(P-7963)	406.24	am	(P-14734/91; A-7602)
336.150	n	(P-7963)	407.29	am	(P-14729/91; A-7597)
336.160	n	(P-7963)	408.5	am	(P-14764/91; A-8950)
336.170	n	(P-7963)	408.7	n	(P-14764/91; A-8950)
337.10	n	(P-7999)	408.20	am	(P-14764/91; A-8950)
337.20	n	(P-7999)	408.30	am	(P-14764/91; A-8950)
337.30	n	(P-7999)	408.40	am	(P-14764/91; A-8950)
337.40	n	(P-7999)	408.50	am	(P-14764/91; A-8950)
337.50	n	(P-7999)	408.65	am	(P-14764/91; A-8950)
337.60	n	(P-7999)	408.70	am	(P-14764/91; A-8950)
337.70	n	(P-7999)	408.105	am	(P-14764/91; A-8950)
337.80	n	(P-7999)	510.10	am	(P-69; A-8537)
337.90	n	(P-7999)	510.20	am	(P-69; A-8537)
337.100	n	(P-7999)	510.30	am	(P-69; A-8537)
337.110	n	(P-7999)	510.40	am	(P-69; A-8537)
337.120	n	(P-7999)	510.70	am	(P-69; A-8537)
337.130	n	(P-7999)	510.80	am	(P-69; A-8537)
337.140	n	(P-7999)	510.90	am	(P-69; A-8537)
337.150	n	(P-7999)	510.100	am	(P-69; A-8537)
337.160	n	(P-7999)	510.110	am	(P-18110/91; A-8235)
337.170	n	(P-7999)	597.70	am	(P-3440)
337.180	n	(P-7999)	597.20	am	(E-2690)
337.190	n	(P-7999)	674.10	n	(E-2690)
337.200	n	(P-7999)	674.20	n	(E-2690)
337.210	n	(P-7999)	674.30	n	(E-2690)
337.220	n	(P-7999)	674.40	n	(E-2690)
337.230	n	(P-7999)	674.50	n	(E-2690)
337.240	n	(P-7999)	683.100	r	(E-2688)
337.250	n	(P-7999)	685.500	am	(P-14392/91; A-4529)
352.Ap.A	am	(P-13229/91; A-3924)	685.550	n	(P-14392/91; A-4529)
377.2	am	(P-7553)	685.600	am	(P-16876/91; A-6868)
377.4	am	(P-7553)	714.30	am	(P-3067)
378.1	r	(P-7561)	714.100	am	(P-3067)
378.2	r	(P-7561)	714.110	am	(P-3067)
378.3	r	(P-7561)	714.120	am	(P-3067)
378.4	r	(P-7561)	714.130	am	(P-3067)
406.2	am	(E-15088/91; M-2269)	714.300	n	(P-3067)
406.4	am	(P-14734/91; A-7602)	714.310	am	(P-3067)
406.5	am	(P-14734/91; A-7602)	787.10	n	(P-13027/91; A-2882)
406.6	am	(P-14734/91; A-7602)	787.20	n	(P-13027/91; A-2882)
406.7	am	(P-14734/91; A-7602)	787.30	n	(P-13027/91; A-2882)
406.8	am	(P-14734/91; A-7602)	787.40	n	(P-13027/91; A-2882)
406.9	am	(P-14734/91; A-7602)	787.50	n	(P-13027/91; A-2882)
406.10	am	(P-14734/91; A-7602)	840.10	am	(P-15390/91; A-10301)

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840.20	am	(P-15390/91; A-10301)	50.5	r	(P-6139)
840.30	am	(P-15390/91; A-10301)	50.10	r	(P-6139)
840.40	am	(P-15390/91; A-10301)	50.10	n	(P-6139)
840.50	am	(P-15390/91; A-10301)	50.20	r	(P-6139)
840.60	n	(P-15390/91; A-10301)	50.20	n	(P-6139)
840.70	n	(P-15390/91; A-10301)	50.30	r	(P-6139)
840.75	am	(P-15390/91; A-10301)	50.30	n	(P-6139)
840.80	am	(P-15390/91; A-10301)	50.40	r	(P-6139)
840.90	am	(P-15390/91; A-10301)	50.40	n	(P-6139)
840.95	n	(P-15390/91; A-10301)	50.50	r	(P-6139)
840.100	n	(P-15390/91; A-10301)	50.60	n	(P-6139)
840.105	n	(P-15390/91; A-10301)	50.60	r	(P-6139)
840.110	n	(P-15390/91; A-10301)	50.70	n	(P-6139)
840.115	n	(P-15390/91; A-10301)	50.70	n	(P-6139)
843.10	am	(P-15405/91; A-10316)	50.80	r	(P-6139)
843.20	am	(P-15405/91; A-10316)	50.80	n	(P-6139)
843.30	am	(P-15405/91; A-10316)	50.90	r	(P-6139)
843.50	am	(P-15405/91; A-10316)	50.90	n	(P-6139)
843.60	am	(P-15405/91; A-10316)	50.100	r	(P-6139)
843.61	am	(P-15405/91; A-10316)	50.100	n	(P-6139)
843.70	am	(P-15405/91; A-10316)	50.110	r	(P-6139)
843.80	am	(P-15405/91; A-10316)	50.110	n	(P-6139)
843.120	am	(P-15405/91; A-10316)	50.120	r	(P-6139)
843.121	am	(P-15405/91; A-10316)	50.120	n	(P-6139)
843.130	am	(P-15405/91; A-10316)	50.130	r	(P-6139)
843.150	am	(P-15405/91; A-10316)	50.130	n	(P-6139)
843.160	am	(P-15405/91; A-10316)	50.140	r	(P-6139)
843.180	am	(P-15405/91; A-10316)	50.140	n	(P-6139)
845.10	am	(P-11572/91; A-2615)	50.150	r	(P-6139)
845.20	am	(P-11572/91; A-2615)	50.160	r	(P-6139)
845.30	am	(P-11572/91; A-2615)	50.160	n	(P-6139)
845.40	am	(P-11572/91; A-2615)	50.Ex.A	n	(P-6139)
900.310	am	(P-12989/91; A-5311)	62.30	am	(P-4813)
900.321	am	(P-12989/91; A-5311)	171.6	am	(P-15995/91; W-2696)
900.322	am	(P-12989/91; A-5311)	171.6	#	(P-3856)
900.330	am	(P-12989/91; A-5311)	171.1000	am	(P-15995/91; W-2696)
900.342	am	(P-12989/91; A-5311)	172.2000	am	(P-3856)
900.343	am	(P-12989/91; A-5311)	172.2215	am	(P-16003/91; W-2697)
900.345	am	(P-12989/91; A-5311)	172.2215	am	(P-3864)
900.348	am	(P-12989/91; A-5311)	173.3000	am	(P-16003/91; W-2698)
1300.110	am	(P-5141/91; A-4819)	173.3000	am	(P-3869)
1300.120	am	(P-5141/91; A-4819)	177.2000	am	(P-15990/91; W-2695)
1300.130	am	(P-5141/91; A-4819)	178.336.1.1	am	(P-3847)
1300.200	am	(P-5141/91; A-4819)	178.336.1.1	am	(P-16015/91; W-2699)
1300.205	n	(P-5141/91; A-4819)	178.336.1.5	am	(P-3876)
1300.210	am	(P-5141/91; A-4819)	178.336.1.5	am	(P-16015/91; W-2699)
44.30	am	(P-4807)	178.2000	am	(P-16015/91; W-2699)



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TITLE 92 (CONT'D)	am	(P-16027/91; W-2700)	r	(P-3003/91; A-2256)
179.2000	am	(P-3888)	r	(P-3003/91; A-2256)
180.2000	am	(P-3851)	r	(P-2940/91; A-2193)
390.1010	am	(P-7815)	n	(P-3003/91; A-2256)
390.1020	am	(P-7815)	r	(P-3003/91; A-2256)
390.2000	am	(P-7815)	r	(P-3003/91; A-2256)
391.1000	am	(P-7832)	r	(P-3003/91; A-2256)
391.2000	am	(P-16653/91; A-5362)	n	(P-2940/91; A-2193)
395.2000	am	(P-7832)	n	(P-2940/91; A-2193)
396.2010	am	(P-7805)	n	(P-2940/91; A-2193)
440.420	am	(P-7811)	r	(P-3003/91; A-2256)
440.II.A	am	(P-13041/91; A-1655)	r	(P-3003/91; A-2256)
440.II.B	n	(P-13041/91; A-1655)	r	(P-3003/91; A-2256)
442.285	am	(P-13072/91; A-1685)	n	(P-2940/91; A-2193)
442.II.A	am	(P-13072/91; A-1685)	n	(P-2940/91; A-2193)
442.II.E	n	(P-13072/91; A-1685)	n	(P-2940/91; A-2193)
456.50	am	(P-9453)	n	(P-2940/91; A-2193)
456.60	am	(P-9453)	n	(P-2940/91; A-2193)
456.70	am	(P-9453)	n	(P-2940/91; A-2193)
456.80	n	(P-9453)	n	(P-2940/91; A-2193)
456.90	n	(P-9453)	n	(P-2940/91; A-2193)
530.10	n	(P-2940/91; A-2193)	n	(P-2940/91; A-2193)
530.10	n	(P-3003/91; A-2256)	n	(P-2940/91; A-2193)
530.20	n	(P-2940/91; A-2193)	n	(P-3003/91; A-2256)
530.20	r	(P-3003/91; A-2256)	r	(P-3003/91; A-2256)
530.30	n	(P-2940/91; A-2193)	r	(P-3003/91; A-2256)
530.30	r	(P-3003/91; A-2256)	r	(P-3003/91; A-2256)
530.40	n	(P-2940/91; A-2193)	n	(P-2940/91; A-2193)
530.50	n	(P-2940/91; A-2193)	n	(P-2940/91; A-2193)
530.60	n	(P-2940/91; A-2193)	n	(P-2940/91; A-2193)
530.101	r	(P-3003/91; A-2256)	n	(P-3003/91; A-2256)
530.102	r	(P-3003/91; A-2256)	r	(P-3003/91; A-2256)
530.103	r	(P-3003/91; A-2256)	r	(P-3003/91; A-2256)
530.104	r	(P-3003/91; A-2256)	r	(P-3003/91; A-2256)
530.105	r	(P-3003/91; A-2256)	r	(P-3003/91; A-2256)
530.106	r	(P-3003/91; A-2256)	r	(P-3003/91; A-2256)
530.107	r	(P-3003/91; A-2256)	r	(P-3003/91; A-2256)
530.108	r	(P-3003/91; A-2256)	r	(P-3003/91; A-2256)
530.109	r	(P-3003/91; A-2256)	r	(P-3003/91; A-2256)
530.110	n	(P-2940/91; A-2193)	n	(P-2940/91; A-2193)
530.110	r	(P-3003/91; A-2256)	n	(P-2940/91; A-2193)
530.111	r	(P-3003/91; A-2256)	n	(P-2940/91; A-2193)
530.112	r	(P-3003/91; A-2256)	n	(P-3003/91; A-2256)
530.113	r	(P-3003/91; A-2256)	n	(P-3003/91; A-2256)
530.114	r	(P-3003/91; A-2256)	r	(P-3003/91; A-2256)
530.115	r	(P-3003/91; A-2256)	r	(P-2940/91; A-2193)
530.116	r	(P-3003/91; A-2256)	n	(P-2940/91; A-2193)
530.117	r	(P-3003/91; A-2256)	n	(P-2940/91; A-2193)

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TITLE 95	am	(P-2940/91; A-2193)	n	(P-3003/91; A-2256)
116.40	am	(P-3003/91; A-2256)	r	(P-3003/91; A-2256)
121.10	n	(P-3003/91; A-2256)	r	(P-3003/91; A-2256)
121.20	n	(P-2940/91; A-2193)	n	(P-3003/91; A-2256)
121.30	n	(P-2940/91; A-2193)	n	(P-2940/91; A-2193)
121.40	n	(P-3003/91; A-2256)	n	(P-3003/91; A-2256)
121.50	n	(P-3003/91; A-2256)	r	(P-3003/91; A-2256)
121.60	n	(P-2940/91; A-2193)	n	(P-2940/91; A-2193)
121.70	n	(P-2940/91; A-2193)	n	(P-2940/91; A-2193)
121.80	n	(P-3003/91; A-2256)	r	(P-3003/91; A-2256)
121.90	n	(P-3003/91; A-2256)	r	(P-3003/91; A-2256)
121.100	n	(P-3003/91; A-2256)	r	(P-3003/91; A-2256)
121.110	n	(P-3003/91; A-2256)	r	(P-3003/91; A-2256)
121.120	n	(P-2940/91; A-2193)	n	(P-2940/91; A-2193)
121.130	n	(P-2940/91; A-2193)	n	(P-2940/91; A-2193)
121.140	n	(P-2940/91; A-2193)	n	(P-2940/91; A-2193)
121.150	n	(P-2940/91; A-2193)	n	(P-2940/91; A-2193)
121.160	n	(P-2940/91; A-2193)	n	(P-2940/91; A-2193)
121.170	n	(P-3003/91; A-2256)	r	(P-3003/91; A-2256)
121.180	n	(P-3003/91; A-2256)	r	(P-3003/91; A-2256)
121.190	n	(P-3003/91; A-2256)	r	(P-3003/91; A-2256)
121.200	n	(P-3003/91; A-2256)	r	(P-3003/91; A-2256)
121.210	n	(P-3003/91; A-2256)	r	(P-3003/91; A-2256)
121.220	n	(P-3003/91; A-2256)	r	(P-3003/91; A-2256)
121.230	n	(P-3003/91; A-2256)	r	(P-3003/91; A-2256)
122.10	n	(P-3003/91; A-2256)	r	(P-3003/91; A-2256)
122.20	n	(P-3003/91; A-2256)	r	(P-3003/91; A-2256)
122.30	n	(P-8193/91; A-194)	n	(P-8193/91; A-194)
122.40	n	(P-13027/91; A-2882)	am	(P-13027/91; A-2882)
122.50	n	(P-13027/91; A-2882)	n	(P-13027/91; A-2882)
122.60	n	(P-13027/91; A-2882)	n	(P-13027/91; A-2882)
122.70	n	(P-13027/91; A-2882)	n	(P-13027/91; A-2882)